

Item- 18-06-2026

WPA 15268 of 2016

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CAN 4 of 2026

854. Ct. 19

Amiya Ghoshal & Ors.

Versus

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The State of West Bengal & Ors.

Mr. Subhas Chandra Atha

Ms. Payel Paramanik

...for the petitioners

Mr. Nilanjan Bhattacharjee

Ms. Jahyita Dhar Chakraborty

...for the State

In Re: CAN 4 of 2026

CAN 4 of 2026 is an application for restoration of CAN 1 of 2025, CAN 2 of 2025 and CAN 3 of 2025 by recalling the order dated 30th March, 2026.

After hearing the learned Advocate for the petitioners and the learned Advocate appearing for the State, this Court is satisfied with the reasons stated in the application for not appearing when the applications being CAN 1 of 2025, CAN 2 of 2025 and CAN 3 of 2025 stood dismissed for default.

Accordingly, CAN 4 of 2026 is allowed.

The order dated 30th March, 2026 stands recalled and CAN 1, 2 and 3 of 2025 stand restored to its original file and number.

In Re: CAN 2 of 2025

The learned Advocate appearing for the petitioners submits that he has instruction not to press CAN 2 of 2025.

Accordingly, CAN 2 of 2025 stands dismissed as not pressed.

In Re: CAN 1 of 2025 and CAN 3 of 2025

CAN 1 of 2025 is an application for restoration of the writ petition by recalling the order dated 21st November, 2017. Since there is a delay in filing this application, an application being CAN 3 of 2025 has been filed praying for condonation of delay in filing the restoration application.

After hearing the learned Advocate for the petitioners and the learned Advocate for the State and after considering the averments made in CAN 3 of 2025, this Court finds that the petitioners have satisfactorily explained the delay in filing the restoration application. The delay in filing the restoration application being CAN 1 of 2025 is condoned. CAN 3 of 2025 stands allowed.

CAN 1 of 2025 is an application for restoration of the writ petition to its original file and number by recalling the order dated 21st November, 2017.

After hearing the learned Advocates for the parties and after considering the averments made in CAN 1 of 2025, this Court is of the view that the petitioners were prevented by sufficient cause for not appearing when the writ petition stood dismissed for default. Accordingly, the order dated 21st November, 2026 stands recalled. The writ petition stands restored to its original file and number.

In Re: WPA 15268 of 2016

The writ petitioner is taken up for immediate consideration.

The petitioners allege that after expiry of the mining lease, the petitioners have applied for renewal of the mining.

The learned Advocate appearing for the petitioners submits that the draft deed was submitted pursuant to the direction passed by the Additional District Magistrate and District Land & land Reforms Officer vide memo Dated 10th February, 2026. He submits that in spite of submission of the draft deed, no step for registration of the same was taken. The petitioner submitted representation before the Additional district Magistrate by a letter dated 15th February, 2016.

The learned Advocate appearing for the petitioner submits that in spite of receipt of such representation, no decision on such representation has been communicated to the petitioners till date.

Mr. Bhattacharjee, learned Senior Standing Counsel submits that the decision on such representation shall be communicated to the petitioners within the time limit as may be fixed by this Court.

In the light of the submissions made by the learned Advocates for the respective parties and without entering into the merits of the claim made by the petitioner in the representation dated 15th February, 2016, this writ petition stands disposed of by directing the Additional District Magistrate and District Land & Land Reform Officer, Bankura to consider the representation of the petitioners dated 15th February, 2016 and to dispose of the same after affording an opportunity of hearing to the petitioners or their authorized representatives and bypassing a reasoned order which shall be

communicated to the petitioners as expeditiously as possible but positively within a period of twelve weeks from the receipt of a server copy of this order along with a copy of the representation dated 15th February, 2016.

Urgent photostat certified copy of this order, if applied for, be supplied to the parties upon compliance of all requisite formalities.

(Hiranmay Bhattacharyya, J.)