

Item- 93. 10-02-2026

sg Ct. 19

WPA 28874 of 2024

Subhasis Mondal
Versus
The State of West Bengal & Ors.

Mr. Partha Sarathi Bhattacharyya, Sr. Adv.
Mr. Khairul Alma
...for the petitioner

Mr. Sanjay Saha
Mr. Raju Mondal
...for the respondent no.3

Mr. Soumitra Bandyopadhyay
Mr. Srinath Singha Roy
...for the State

The petitioner has prayed for issuance of mandamus commanding the District Magistrate, Bankura to reconsider the order dated 9th June, 2009.

A Memo being no.1680 dated 9th June, 2009 was issued informing the petitioner that the Government has been pleased to order that a mining lease of sand in respect of the area mentioned for a period of five years shall be granted provisionally to the petitioner upon compliance of the conditions mentioned in the said letter and execution of the deed lease was duly approved by the Government within the time limit stipulated in the Memo.

It is not in dispute that the petitioner did not fulfil the conditions as mentioned in the Memo dated 9th June, 2009 and, accordingly, the lease deed was also not executed within the time limit mentioned therein.

Pursuant to an order passed by a coordinate Bench on 26th June, 2012 in WP 6556(W) of 2012, the parties along with the petitioner were asked to attend the hearing before the

District Magistrate, Bankura. The petitioner duly attended the said hearing on 19th October, 2012.

The petitioner submitted a representation before the Additional District Magistrate and the District Land & Land Reforms Officer dated 18th May, 2012 requesting the said authority to grant long term mining lease for sand over the plot no.541, in Mouza Pantrai, under Police Station Indus, in the District of Bankura. Alleging inaction on the part of the authorities, the petitioner has approached this Court.

Mr. Bhattacharya, learned Senior Counsel appearing for the petitioner submits that that in spite of receipt of the representation dated 18th May, 2012, the respondent authorities have not communicated their decision to the petitioner.

Mr. Bandyopadhyay, learned Senior Government Advocate files a copy of the report of the Additional District Magistrate and District Land & Land Reforms Officer, Bankura dated 19th December, 2025. He submits that the petitioner submitted a representation dated 30th July, 2014 requesting the respondent authorities to consider the prayer for grant of mining lease and pursuant to such request, the Additional District Magistrate, by a letter dated 1st December, 2014 asked the petitioner to furnish the satisfactory reason along with supporting evidential documents explaining the long delay in taking steps pursuant to the memo No. 1680 dated 9th June, 2009. He further submits that the writ petition is liable to be dismissed on the ground of inordinate delay and laches on the part of the petitioner. Mr. Bandyopadhyay

further submits that provisional grant order of long term lease deed was subsequently cancelled due to non-compliance of the grant order vide Memo dated 14th January, 2015.

Mr. Shah, learned Advocate appearing for the Corporation also submits that the writ petition is liable to be dismissed on the ground of delay and laches.

Heard the learned Advocates for the parties and perused the materials placed.

By a memo being No. 1680 dated 9th June, 2009, a provisional grant order for long term mining lease was issued in favour of the petitioner asking the petitioner to comply with the conditions in the said Memo. It is not in dispute that the petitioner did not comply with the conditions mentioned in the said Memo. Pursuant to the prayer made by the petitioner to grant the long term lease vide letter dated July 30, 2014, the Additional District Magistrate by a letter dated 1st December, 2014 requested the petitioner to state satisfactory reason along with supporting evidential documents for the long delay for taking further action.

The petitioner could not furnish any documents explaining the long delay in complying with the conditions imposed in the Memo dated 9th June, 2009. The prayer of the petitioner for grant of long term lease was, accordingly, rejected and the provisional grant order was cancelled due to non-compliance of the grant order vide Memo No. 1680 dated 9th June, 2009 by Memo dated 14th January, 2015. The petitioner has approached this Court only in the month of December 2024 praying for reconsideration of the order dated

9th June, 2009.

Since the provisional grant order issued on 9th June, 2009 stood cancelled by Memo dated 14th January, 2015 and the inordinate delay and laches in approaching this Court has not been explained, this Court is not inclined to grant any relief to the petitioner. Accordingly, this writ petition stands dismissed. However, there shall be no order as to costs.

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

(Hiranmay Bhattacharyya, J.)