

Item- 09-01-2026
3.

sg Ct. 19

WPA 30039 of 2025

Nepal Chandra Das
Versus
The State of West Bengal & Ors.

Mr. Samiran Mandal
Mr. Abhinaba Dan
Mr. Nitish Samanta
Ms. Shreyashee Mitra
...for the petitioner
Mr. Chandi Charan De, AGP
Ms. Reshma Chatterjee
...for the State

Affidavit of service filed in Court is taken in record.

The petitioner claims that a mining lease was granted in his favour by the Commerce and Industry Department, Government of West Bengal, in respect of certain plots of land within Mouza Manipur, under Police Station Taldangra, in the District of Bankura sometime in the year 2021 for a period of three years.

The learned Advocate appearing for the petitioner states that by a memorandum dated March 30, 2021 issued by the Government of West Bengal, Department of Industries, Commerce and Enterprises, Mines Branch, the tenure of the leases of major minerals pre-existing MMDR (Amendment) Act, 2015 shall be deemed to be extended as per Section 8A of the MMDR Act, 1957, as amended.

The petitioner made a prayer to enable him to generate e-challan for transportation of minerals mined by him from his lease hold area. Pursuant to such prayer, the Chief Mining Officer, Government of West Bengal, forwarded the prayer of the petitioner under a covering letter

dated 2nd August, 2023 to the Additional District and District Land & Land Reforms Officer, Bankura. Pursuant thereto, the Additional District Magistrate and District Land & Land Reforms Officer, Bankura, by a letter dated 7th March, 2024 requested the petitioner to submit the latest status of the order of the Additional District Judge, Khatra in connection with Misc. Appeal No. 8 of 2022 and any other court cases involved with the land belonging to the mining area as per lease agreement vide registered deed no. 5503 dated 14th November, 1994.

The learned Advocate for the petitioner submits that the information slip showing status of the said miscellaneous appeal was duly submitted before the competent authority and the petitioner, by a letter dated 10th May, 2023, requested the District Land & Land Reforms Officer to issue e-challan in favour of the petitioner. He further submits that subsequently, the petitioner through his learned Advocate's letter dated 10th December, 2024 requested the respondent authorities to issue e-challan by entering his name in centralized portal of West Bengal Minerals Development Trading Corporation Ltd. for enabling the petitioner to generate e-challan. The learned Advocate for the petitioner further states that the property involved in the lease deed executed in favour of the petitioner is not the subject matter of any civil suit.

The grievance of the petitioner is that, no decision on such representation has been communicated to the petitioner till date.

In the light of the submissions made by the learned advocate for the petitioner and Mr. De, learned Additional

Government Pleader, WPA 30039 of 2025 stands disposed of without entering into the merit of the claim made by the petitioner in the said representation and by directing the Managing Director, West Bengal Mineral Development and Trading Corporation Limited, being the second respondent, to consider the representation of the petitioner dated 10th December, 2024 and to dispose of the same by passing a reasoned order after giving a reasonable opportunity of hearing to the petitioner or his authorized representative and communicate the said reasoned order to the petitioner immediately thereafter.

The entire exercise shall be completed as expeditiously as possible but positively within a period of four weeks from the date of receipt of a server copy of this order along with a copy of the representation dated 10th December, 2024.

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

(Hiranmay Bhattacharyya, J.)