

20.04.2026.
Item No. 20.
Court No. 7
ap

IN THE HIGH COURT AT CALCUTTA
Circuit Bench at Jalpaiguri
CIVIL APPELLATE JURISDICTION
(Appellate Side)

M.A.T. No. 15 of 2026
In
I.A. No. CAN 1 of 2026
And
I.A. No. CAN 2 of 2026

Rina Dutta
Versus
The State of West Bengal & Ors.

Mr. Nabankur Paul,
Mr. Rajat Das,
Ms. Amrita Lahiri,
Mr. Bodhisatya Ghosh.

...For the appellant.

Mr. Joyjit Choudhury, Ld. AAG,
Mr. Sumit Kumar.

....For the State.

1. Advocate-on-record for the appellant undertakes before this Court to remove the defects as pointed out by the Stamp Report in his order dated 17th March, 2026.

2. The instant intra court appeal is directed against the order dated 13th January, 2026 passed by a learned Single Judge of this Court in W.P.A. 2225 of 2025.

3. The writ petitioner was aggrieved that despite being successful in e-auction for grant of mining lease of sand block and for quarrying sand and having been granted letter of intent, the same was

cancelled in view of a change of policy on the part of the Government.

4. The petitioner despite having been granted letter of intent could not produce environmental clearance, which was mandatory and a pre-condition for granting licence. By this time, the policy of the Government had changed.

5. Having regard to the facts and circumstances of the case, this Court is of the view that the impugned order dated 13th January, 2026 passed by a learned Single Judge of this Court calls for absolutely no interference. The LOI, in any event, has expired.

6. The learned Single Judge, however, has directed an investigation into the matter as to why the LOI was kept pending for a substantial period of time despite failure on the part of the writ petitioner/appellant to bring environmental clearance. Such investigation may, however, continue in accordance with law.

7. It is submitted that 1/3rd bid amount paid by the petitioner has been offered for refund.

8. Counsel for the appellant, however, submits that there are other sand mining leases surviving non-production of environmental clearance.

9. The State may look into the matter and take appropriate steps in accordance with law.

10. A copy of the letter of offer of refund dated 7th April, 2026 is taken on record.

11. M.A.T. No. 15 of 2026 shall stand disposed of.

12. In view of the disposal of the instant appeal itself, all the pending connected applications are disposed of.

13. There will be no order as to costs.

14. All parties are directed to act on a server copy of this order duly downloaded from the official website of this Court.

(Rajasekhar Mantha, J.)

(Om Narayan Rai, J.)