

04-11-2019
Court No.1
Sh/11.

**CIRCUIT BENCH OF
CALCUTTA HIGH COURT
AT JALPAIGURI
WRIT APPELLATE JURISDICTION
APPELLATE SIDE**

W.P.A. 560 OF 2019

**Prabal Gahatraj and Ors. Petitioners.
Vs.
State of West Bengal & Ors.... Respondents.**

Mr. Deborshi Dhar,
Mr. Ujjwal Luksom.

. . .For the Petitioners.

Mr. Debabrata Dhar, Ld. A.P.P.

. . .For the State.

Party/parties is/are represented in the order of their name/names as printed above in the cause title.

Mr. Deborshi Dhar, learned advocate for the petitioners submits that the agricultural land of the petitioners has been destroyed due to landslides. The State authority has till date taken no action on the prayers repeatedly made by the petitioners.

Mr. Debabrata Dhar, learned Additional Government Pleader (AGP), draws the attention of this Court to a communication dated 3rd of March, 2017, being Memo No.44/1/DM/Con, addressed to the Sub-Divisional Land & Land Reforms Officer at page 70 of the writ petition. By the said memo the District Magistrate, Kalimpong/ the respondent No.2 has directed the Sub-divisional Land & Land Reforms Officer(SDL & LRO/ the respondent no.3 to take steps under the West Bengal Land Reforms Act, 1955 read with the West Bengal Land Reforms Manual, 1991.

At this stage, without examining the merits of the issue, this Court only directs the SDL & LRO/ the

respondent no.3 to expeditiously act in terms of the communication dated 3rd March, 2017. The SDL & LRO shall not exceed the outer time limit for such action, which is fixed to act within six weeks from the date of communication of this order.

It is made clear that the SDL & LRO shall take steps in accordance with law.

This Court has not gone into the merits of the case.

Since no affidavits have been called for, the allegations contained in the writ petition shall be deemed not to have been admitted by the respondents.

The writ petition is accordingly, disposed of without any order as to costs.

Affidavit of service filed in Court today be taken on record.

(SUBRATA TALUKDAR, J)