

WPA 9438 of 2020
(United Church of Northern India Trust
Association & Anr. Vs. The State of West Bengal & Ors.)

Mr. B. P. Subba
Ms. Nibedita Chakraborty
.....For the petitioners

Mr. Soumitra Bandyopadhyay
Mr. Priyabrata Batabyal
.....For the State

Mr. Bodhistta Biswas
....For the respondent no. 6

The subject matter of challenge in this writ petition is a notice dated October 14, 2020 issued by respondent no. 5, Revenue Officer & Block Land and Land Reforms Officer requesting the petitioners to attend the hearing fixed on November 4, 2020 for ascertaining the extent of land of a trust to be vested in the State of West Bengal under the West Bengal Land Reforms Act, 1955 (in short, “the Act of 1955”).

Mr. Subba, learned counsel appearing for the petitioners submits that during pendency of this writ petition the petitioners have come to learn that on November 4, 2020 the respondent no. 5 has passed the order of vesting under Section 14T(6) of the Act of 1955. However, the petitioners have not yet received the copy of the said order of vesting passed by the respondent no. 5.

The fact of passing of the final order of vesting by the respondent no. 5 is not disputed by the State respondent. After the order of vesting has already been passed by the respondent no. 5, the petitioners are entitled to challenge the same by filing an appeal before the appropriate

authority under Section 54 of the Act of 1955. However, without obtaining a copy of the said order of vesting the petitioners' remedy to challenge the same in appeal remains illusory.

Under the circumstances the writ petition is disposed of by directing the respondent no. 5 to forthwith provide the petitioners with a copy of the order of vesting passed by him within a period of one week from the date of application to be filed by the petitioners. The petitioners will be entitled to file an appeal to challenge the order of vesting before the competent authority within two weeks from the date of receipt of the said order.

With the above directions, WPA 9438 of 2020 stands disposed of.

There shall, however, be no order as to costs.

(Ashis Kumar Chakraborty, J.)