

28.01.2021

p.b.
Sl. No.4.

IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION
APPELLATE SIDE

W.P.A. 2318 of 2021

Sri Sri Keshab Rai Jew Thakur & Anr.
Vs.
The State of West Bengal & Ors.

Mr. Dibyendu Chatterjee,
Mr. Dhilon Sengupta,
Mr. Siddhartha Roy.
.....for the petitioners.
Mr. Chandi Charan De,
Ms. Reshmi Rehaman.
.....for the State.

The subject matter of challenge in this writ petition is the notice dated January 15, 2021 issued by the Special Revenue Officer-II and Block Land and Land Reforms Officer, Raghunathpur, Purulia, under Sections 56 and 57 of the West Bengal Land Reforms Act, 1955.

In view of the enactment of the West Bengal Land and Tenancy Tribunal Act, 1997 and Constitution of the West Bengal Land and Land Reforms Tribunal under Article 323-B of the Constitution of India, this Court lacks of jurisdiction to entertain the present writ petition. This view is supported by the decisions of the Supreme Court in the cases of L. Chandra Kumar Vs. Union of India & Ors. Reported in (1997) 3 SCC 261 and in the case of State of

West Bengal Vs. Ashish Kumar Roy and Ors. reported in (2005) 10 SCC 110.

In view of the above, the writ petition being WPA 2318 of 2021 is dismissed with costs assessed at Rs.5,000/- to be paid by the petitioner to the Calcutta High Court Legal Services Committee within a week from date.

It is, however, made clear that before entertaining any application of the petitioners, the West Bengal Land Reforms and Tenancy Tribunal shall ensure compliance of the above direction for payment of costs.

All parties including the State Legal Service Authority are to act on website copy of this order.

(Ashis Kumar Chakraborty, J.)