

7
SK
Ct. No. 18
09.03.2021

**W.P.A. No. 3081 of 2021
(Via Video Conference)**

**Shri Haradhan Bhattacharjee & Ors.
Vs.
The State of West Bengal & Ors.**

Mr. Manas Malakar ... For the petitioners.

Mr. Chandi Charan De, Ld. Addl. Govt. Pleader,
Mr. Anirban Sarkar ... For the State respondents.

The petitioners are claiming to be the owners of subject land on the basis of a deed of 1939. The petitioners complain that they are not aware under which proceeding their lands have been declared vested with the State.

Learned advocate for the petitioners submits that in response to a letter issued by him, the Deputy Secretary to the Government of West Bengal has referred the matter to the ADM and D.L. & L.R.O., 24 Parganas (North) for enquiry, but the said authority has not taken any action till date. Therefore, the petitioner prays that the ADM and D.L. & L.R.O., 24 Parganas (North) may be directed to take immediate action on the basis of the said representation of the petitioners.

On perusal of the writ petition it appears that the prayer of the petitioners is something else, which is quoted below:-

“(a) A writ in the nature of mandamus commanding the respondents to forthwith dispose of this matter, directing them to proceed with this matter in accordance with law;

(b) A writ in the nature of certiorari, calling upon the respondents to certify and produce all relevant records relating to the matter of acquisition and vesting of the said properties and on perusal thereof, conscionable justice may be

done in favour of the petitioners forthwith and further directing them to proceed in accordance with law;”

It appears from the record that the information sought for regarding the vesting of the land of the petitioners under The Right to Information Act, 2005 was denied for want of available records, the petitioners chose not to assail the said order in appeal instead gave the aforesaid representation.

The writ petition is absolutely speculative, therefore dismissed with a costs of Rs. 10,000/-.

The petitioners are required to deposit the said costs in favour of the Legal Aid Services Authority, High Court Calcutta within two weeks from date.

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

(Biswajit Basu, J.)