

4 26.07.2021
rc/SB Ct. No. 10

W.P.A. 1679 of 2019
(VIA VIDEO CONFERENCE)

KARTICK CHANDRA PAKIRA
Vs.
THE STATE OF WEST BENGAL & ORS.

Mr. Kajal Roy ..for the Petitioner

Mr. Ram Chandra Ghuchait .. for the State

The grievance of the petitioner is for
correction of land records

It is submitted by the Advocate appearing on
behalf of the petitioner that the matter pertaining to
correction of land records is pending before the
Additional District Magistrate (L.R.) and the District
Land and Land Reforms Officer, Hooghly being the
respondent no. 2 herein. It is further submitted that
the proceeding has been pending since 2009 and the
respondent no. 5 has been unable to dispose of the
proceeding notwithstanding an order dated
14.02.2017 passed by the Collector in its appellate
jurisdiction.

The State is represented.

It is submitted by the Advocate appearing on
behalf of the State-respondent that the petitioner has
an adequate efficacious alternative statutory remedy
in view of the provisions of the West Bengal Land
Reforms Act and thus this petition is not

maintainable.

I am of the view that even though the petitioner has a statutory alternative remedy, in the peculiar facts of the instant case, I choose to exercise my discretionary power in entertaining this writ petition on the ground that there can be no earthly reason as to why any litigant should be asked to wait for more than a decade for resolution of his grievances. I also find that there is nothing on record to show that since the Collector had disposed of the connected appeal on 14.02.2017, the respondent no. 2 has taken any steps in the matter.

In view of the fact that the matter has been pending for more than a decade, I direct the respondent no. 2 to hear and dispose of the subject proceeding pending before him within a period of twelve weeks from date after giving right of hearing to all the parties and in accordance with law.

I make it clear that I have not entered into the merits of this case and the respondent no. 2 will not be influenced by any observation on the merits of the case. All questions are left open to be decided by the respondent no. 2 in accordance with law.

It is expected that the entire exercise will be completed by the respondent no. 2 within the aforesaid stipulated time period from the date of communication of this order. With the above

observations and directions, this writ petition being
WP 1679 of 2019 is disposed of.

(Ravi Krishan Kapur, J.)