

DL. August 25,
14. 2021

Through Video Conference

W.P.L.R.T. 24 of 2020

Sk. Barshed Ali

Vs.

State of West Bengal & ors.

Mr. Debasish Sur,
...for the petitioner.

Mr. Soumitra Bandyopadhyay,
Mr. Ayan Banerjee,
...for the State.

We have heard the learned advocates appearing for the parties.

The tribunal, without considering the fact that the writ petitioner was unable to attend the hearing before the appellate authority owing to his illness and that the writ petitioner could not file the case under Section 54 of the West Bengal Land Reforms Act within four weeks from the date of receipt of its earlier order, was not keen to review its earlier order.

The appellate authority is hereby directed to reconsider the application filed by the petitioner under Section 54 of the West Bengal Land Reforms Act within eight weeks from date without granting any unnecessary adjournment to either of the parties. The appellate authority shall decide the matter in accordance with law and shall dispose of the same by passing a reasoned order, which shall be communicated to the writ petitioner forthwith.

The order of the tribunal, which is impugned in this

writ application, is hereby set aside.

We make it clear that we have not gone into the merits of the order passed by the tribunal on December 21, 2015 and the appellate authority shall decide the matter afresh without being influenced by any of the observations made by the tribunal in the order impugned.

The appellate authority shall act on the electronic copy of this order without insisting for a certified copy of this order.

The writ application is, thus, disposed of without, however, any order as to costs.

Photostat certified copy of this order, if applied for, will be made available to the applicant within a week from the date of putting in the requisites.

(Soumen Sen, J.)

(Hiranmay Bhattacharyya, J.)

dns