

23.03.2021
(S/L-26)
Ct.-18
(P. Jana)

(Via Video Conference)

W.P.A. 7277 of 2021

Shri Debdulal Banerjee
-Vs-
The State of West Bengal & Ors.

Mr. Golam Mastafa,
Mr. Samirul Sardar,
..... For the Petitioner.

Mr. Soumitra Bandopadhyay,
Mr. Subhasis Bandopadhyay,
..... For the State.

Affidavit of service filed in Court today be kept
with the record.

The petitioner is complaining inaction on the
part of the Thika Controller.

The West Bengal Thika Tenancy (Acquisition and
Regulation) Act, 2001 is a specified Act under the
West Bengal Land Reforms & Tenancy Tribunal Act,
1997.

The Thika controller is an authority under the
aforesaid specified Act and the Tribunal under
Section 6 of the West Bengal Land Reforms and
Tenancy Tribunal Act, 1997 has the exclusive
jurisdiction in relation to a complaint of inaction on
the part of the said authority.

In view of availability of such an efficacious
alternative remedy the writ petition is not
maintainable.

WPA 7277 of 2021 is dismissed as not maintainable.

It is however made clear that this Court has not gone into the merit of the claim of the petitioner and this order will not prevent the petitioner from approaching appropriate forum of law for redressal of his grievances.

No order as to costs.

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

(Biswajit Basu, J.)