

14-06-2021

ct no. 13

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**WPA 9554 of 2021
(Through Video Conference)**

Mrs. Chang Al Chen & Ors.

-Versus-

State of West Bengal & Ors.

**Mr. B. Ghosh,
Mr. Sumitava Chakraborty
....for the petitioners**

**Mr. Aniruddha Sen,
Mr. Soumitra Bandyopadhyay
....for the State-respondents**

Counsel for the petitioners submits that his clients are entitled to inherit possession of thika tenancy from their father and have made an application to the thika controller in this regard on February 9, 2021.

Counsel for the State raises preliminary objection as regards the maintainability and jurisdiction. In view of Section 2(r) of the West Bengal Land Reforms and Tenancy Tribunal Act, 1997 and in view of the provisions of the West Bengal Thika Tenancy (Acquisition and Regulations) Act, 1981, the West Bengal Land Reforms and Tenancy Tribunal has exclusive jurisdiction in this matter.

This Court does not see any reason or exception for considering the petitioners'

grievances under Article 226 of the Constitution of India.

Hence, WPA 9554 of 2021 shall stand dismissed granting liberty to the petitioners to approach the Tribunal or the Authority under the West Bengal Thika Tenancy (Acquisition and Regulations) Act, 1981.

All parties shall act on the server copy of this order duly downloaded from the official website of this Court.

(Rajasekhar Mantha, J.)