

18-06-2021

Item-6

Ct-16
sg

WPLRT 21 of 2021

Tapan Kumar Mondal
v.
State of West Bengal & Ors.

Mr. Sourav Sen, Adv.

... for the petitioner.

Mr. S. Majumdar, Adv.

...for the respondent no.56

Mr. Soumitra Bandhopadhyay, Adv.

...for the State

In this writ petition the petitioner has prayed for early disposal of the application filed before the learned West Bengal Land Reforms and Tenancy Tribunal. The said application was filed by the applicant under Section 6(a) read with Section 10 of the West Bengal Land Reforms and Tenancy Tribunal Act, 1997 against an order dated 26th February, 2013 passed by the Deputy District Land and Land Reforms Officer and Appellate Authority of North 24th Parganas at Barasat, in an appeal being Appeal Case No. 28 of 2008 under Section 51A(5) of the West Bengal Land Reforms Act, 1995.

It appears from records that the matter could not be disposed of because of the non-cooperation of the private respondents as well as the State respondents. During the pendency of this proceeding, it appears that

the State was unable to produce LCR in spite of order being passed to that effect by the Tribunal. The learned Tribunal has taken note of the unsatisfactory conduct of the proceeding at the instance of the State. However, the matter was fixed on 16th February, 2022.

We feel that in the interest of justice the Tribunal could have given the shortest possible time to the State to reconstruct the LCR and then proceed with the matter with utmost expedition as the matter is pending since 2013.

In view of the aforesaid, we modify the impugned order by directing the District Land and Land Reforms Officer, North 24 Parganas at Barasat to submit the LCR or reconstruct the LCR in OA No. 1183 of 2013 by 31st July, 2021.

The petitioner shall on the basis of this order mention the matter before the learned Tribunal for preponing the hearing of the matter.

We request the learned Tribunal to consider such prayer favourably and dispose of the matter as early as possible preferably by December 2021 without granting any adjournment to either of the parties unless it is unavoidable.

In the event the State respondents are unable to

produce the certified copy or reconstruct the LCR, the Tribunal shall proceed on the basis of the certified copies filed by the writ petitioner in the said proceeding.

It is made clear that we have not gone into the merits of this matter.

With the above observation, WPLRT 21 of 2021 is disposed of.

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

(Hiranmay Bhattacharyya, J.)

(Soumen Sen, J.)