

23
16.09.2021
Ct. No.10
b.das

W.P.A. 13949 of 2021

(Via Video Conference)

Aloke Kr. Singhania & Ors.
Vs.
State of W.B. & Ors.

Mr. Ambar Nath Banerjee
Ms. A. Panja Moulick
Ms. Debangana Dey Nayak ...for the petitioner.

Mr. Chandi Charan De
Ms. Chandana Ghosh ...for the State.

Mr. Arnab Saha
Mr. A. Banerjee ...for the respondent No.5.

Affidavit of service filed by the petitioners in Court be taken on record.

The writ petitioners submit that they have acquired right, title and interest to the possession in respect of the land in question by virtue of registered deed of sale dated 6th September, 2012.

The petitioners complain that private respondent No.5 who owns a neighbouring land has been digging land of the petitioners with an ulterior motive, thereby causing damage to the said land and also changing the nature and character of the same.

The petitioners ventilated their grievance before the Block Land and Land Reforms Officer being the respondent No.3 in the writ petition by an application

dated 31st July, 2020. But the said application has not been considered till date.

Learned counsel for the private respondent submits that the writ petition is not maintainable as the petitioners were at liberty to approach the District Land and Land Reforms Officer for redressal of their grievances.

Having heard the submissions made by the learned counsels for the parties and considering the material on record, I dispose of the writ petition with a direction upon the respondent No.3 to consider and dispose of the application filed by the petitioners on 31st July, 2020 after giving an opportunity of hearing to all the affected parties including the petitioners and the private respondent within a period of one month from the date of communication of this order, in accordance with law.

It is made clear that this Court has not gone into the merits of the case in any manner.

WPA 13949 of 2021 is disposed of. There will be no order as to costs.

As affidavits have not been invited, the allegations made in this writ petition are deemed not to be admitted.

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

(Suvra Ghosh, J.)