

December 03, 2021

ARDR

(31)

WPA 16616 of 2021

Pijush Kumar & Ors.

Vs.

The State of West Bengal & Ors.

Mr. Dipanjan Dutta,
Mr. Sayan Dutta,
Mr. Subhajit Chowdhury,

...for the petitioners.

Mr. Chandi Charan De,
Ms. Chandana Ghosh,

...for the State.

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

Heard learned counsels for the parties.

The petitioners are the legal heirs of the original owners of the property in question. The land belonging to the said original owners was vested in State and such vesting was quashed by an order of a coordinate Bench of this Court passed on September 27, 1994 in C.O. No. 16463 (W) of 1994. The petitioners submit that a partition suit is pending among the legal heirs of the original owners and during pendency of such suit, it was noticed that the land in question was not divested in favour of the co-owners in terms of the order of this court. The petitioners filed an application to that effect before the Block Land and Land Reforms Officer, L.R. Circle, Malda (respondent no.4) on 16th October, 2017, but the said application is yet to be

disposed of. The petitioners pray for a direction upon the said respondent to dispose of the application at the earliest.

Having considered the submissions made by the parties and material on record, I dispose of the writ petition with a direction upon the fourth respondent to consider and dispose of the application filed by the petitioners on 16th October, 2017 within a period of three months from the date of communication of this order in terms of the order of this Court dated September 27, 1994 passed in C.O. 16463 (W) of 1994, in accordance with law.

With the aforesaid directions, WPA 16616 of 2021 is disposed of. However, there shall be no order as to costs.

Since no affidavit has been invited, the allegations contained in the petition are deemed not to be admitted.

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

(Suvra Ghosh, J.)