

14.07.2021
jb.

W.P.A. 22692 of 2019
(Pradip Roy @ Pradip Kumar Roy vs. State of West Bengal & Ors.)

Mr. Kushal Chatterjee For the Petitioner

Mr. Susovan Sengupta
Mr. Subir Pal For the State

The petitioner seeks grant of a long term lease in respect of the subject premises. The grievance of the petitioner is that notwithstanding having made a representation as far back as in 1998 the State authorities have kept the matter pending and taken no final decision. In an earlier writ petition being W.P.A. 12334 of 2016 a learned Judge of this Court had directed the respondents authorities to consider the representation of the petitioner and take a decision. The State was represented.

It is submitted on behalf of the petitioner that notwithstanding the direction dated 30th August, 2016 passed in W.P.A. 12334 of 2016, the respondent No. 3 has taken no final decision in the matter.

Mr. Sengupta, learned advocate for the State relies on Sections 49 and 61 of the West Bengal Land Reforms Act and the provisions of the West Bengal Land Reforms and Tenancy Tribunal Act to contend that the Court has no jurisdiction to pass any order in respect of the grievance of the petitioner.

Heard the parties. I am of the view that in view of the order dated 30th August, 2016 the State respondents had to comply with the direction contained in the said order and dispose of the representation of the petitioner. I make it clear that there has been no adjudication on the merits of the case. The respondent No. 3 is at liberty to decide the merits of the case without being influenced by any observations contained in this order. The time for the respondent No. 3 to comply with the direction contained in the earlier order dated 30th August, 2019 is extended by a period of four weeks from date.

With the aforesaid directions, W.P.A. 22692 of 2019 is disposed of.

There will be no order as to costs.

Photostat certified copy of the order, if applied for, be given to the parties on compliance of requisite formalities.

(Ravi Krishan Kapur, J.)