

**Circuit Bench of Calcutta High Court  
at Jalpaiguri**

<sup>06</sup>  
*jks* 30.04.  
2021

**W.P.A.644 of 2021**

**Malati Acharjee.  
Versus  
The State of West Bengal & Ors.**

Mr. Deborshi Dhar.

.....for the petitioners.

Mr. Bikramaditya Ghosh,

Mr. Momenur Rahman,

...For the State.

Affidavit of service filed in Court today be kept with the record.

Learned Counsel appearing for the petitioner submits that in response to the representation made by the petitioner the Block Land and Land Reforms Officer, Madarihat Block has passed an order dated 3<sup>rd</sup> February, 2021, but the said order is passed without considering the Land Reforms Act.

Mr. Ghosh, learned Counsel appears for the State and fairly submits that there is no provision for issuance of Land Possession Certificate under the Land Reforms Act.

Heard both the parties.

The order dated 3<sup>rd</sup> February, 2021 is quashed as there is no provision for issuance of Land Possession Certificate under the Land Reforms Act.

The Block Land and Land Reforms Officer, Madarihat Block is requested to consider the writ petition as representation before him. The Block Land and Land Reforms Officer, Madarihat Block being the respondent no. 4 is requested to consider the writ petition/ representation and pass a reasoned order, as early as possible, preferably within a period of twelve weeks from date after

giving an opportunity of hearing and to allow the petitioner to produce necessary documents at the time of hearing. The Block Land and Land Reforms Officer, Madarihat Block being the respondent no. 4 is also requested to communicate such decision at an earliest.

Learned advocate on record of the petitioner is also requested to serve a copy of this writ petition to the Block Land and Land Reforms Officer, Madarihat Block along with the order of this Court positively within 7 (seven) days from today.

With the above direction WPA 644 of 2021 is disposed of.

I make it clear that I have not gone into the merits of the writ petition, all the issues are left open to the Block Land and Land Reforms Officer, Madarihat Block to be decided by him.

Since no affidavits have been invited, the allegations contained in the writ petition are deemed not to have been admitted by the respondents.

There will be no order as to costs.

The parties shall act in terms of the copy of the order downloaded from the official website of this Court.

**(Rajarshi Bharadwaj, J.)**