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22.01.2021
(Suvendu)

CALCUTTA HIGH COURT
IN THE CIRCUIT BENCH AT JALPAIGURI

WPA 999 of 2019

Debasish Mukherjee & Ors.
-versus-
State of West Bengal & Ors.

Mr. Deborshi Dhar
.....for the petitioners

Affidavit of service filed in Court today is taken on record.

Despite several opportunities being given to the State, the affidavit-in-opposition has not been filed till date and the State is not represented when the matter is taken up today.

Learned counsel for the petitioners places a representation made to the Additional District Magistrate cum District Land and Land Reforms Officer, Alipurduar on 30th August, 2019 for granting long term lease of a certain area of land in Alipurduar for the purpose of homestead. The particulars of the schedule of land and other details were given in the representation. Learned counsel submits that pursuant to such representation, the Additional District Magistrate cum District Land and Land Reforms Officer, Alipurduar by a letter dated 1st October, 2019 requested the Block Land and Land Reforms Officer, Kalchini to submit an availability

report stating the details of the status and usage of the said land together with other information which were mentioned in the said letter dated 1st October, 2019.

On hearing learned counsel, this Court is of the view that since the Block Land and Land Reforms Officer, Kalchini has failed to take steps pursuant to the request made by the Additional District Magistrate & District Land and Land Reforms Officer, Alipurduar on 1st October, 2019, the respondent no.5 being the Block Land and Land Reforms Officer, Kalchini, Dist.- Aipurduar, is directed to comply with the directions of the letter dated 1st October, 2019 being annexure P-8 to the writ petition and send a report within a period of six weeks from the date of communication of this order to the Additional District Magistrate & District Land and Land Reforms Officer, Alipurduar. Immediately on receiving such report, the Additional District Magistrate & District Land and Land Reforms Officer, Alipurduar shall proceed with the matter in accordance with law. The respondent no. 5 will be at liberty to hear all concerned parties including the petitioners and make over a copy of the report to the petitioners within two weeks from the date on which the report is finalized.

WPA 999 of 2019 is disposed of in terms of the above.

Urgent photostat certified copy of this order, if applied for, be given to the parties on usual undertakings.

(Moushumi Bhattacharya, J.)