

05 **04.07.
2022**

Ct. No. 04

Ab

WPLRT 19 of 2022
Sri Bhaskar Mondal and others
Vs.
The State of West Bengal and another.

Mr. Anujit Mookherjee.
... for the petitioners

Mr. Chandi Charan De,
Mr. Anirban Sarkar.
... for the State.

At the first blush we were in fix whether the writ petitioners can be said to be an aggrieved persons against the order dated 26th February 2019 passed by the West Bengal Land Reforms and Tenancy Tribunal in OA 914 of 2018 (LRTT) whereby and whereunder the representation filed by the writ petitioners was directed to be disposed of within six months from the date of communication of that order.

Learned Advocate for the writ petitioners submits that despite the order of the tribunal to dispose of the representation within the stipulated time, no substantial progress has been shown therein.

Such being the limited point, we invited the attention of the learned Advocate for the State to take necessary instruction, more particularly, whether such representation has been disposed of as of now or not.

Mr. Chandi Charan De, learned Additional Government Pleader, appears and submits that he has not received any instruction as to whether such representation has been disposed of by the competent authority or not.

In view of such situation, we feel that keeping the writ petition pending for such fringe issue would not sub-serve the purpose. The representation was made for

correction of record of right and the order of the competent authority was perceived by the writ petitioners having not passed in a legal manner. Preciously for such reason, the representation made before the authority has been kept under suspended animation as no decision has been taken yet. It is unexpected that the authority despite the order of the tribunal shall not act on the basis thereof and keep the representation pending for such a long time.

We, thus, direct the competent authority i.e. the Block Land and Land Reforms Officer, Bhangore Block-I, South 24-Parganas to dispose of the representation within six weeks from the date of communication of this order after affording an opportunity of hearing to all interested persons by recording proper reasons in accordance with law. The time frame fixed herein above is peremptory and mandatory.

For abandon precaution it is made clear that this Court has no occasion to go into the merit of the contentions raised in the said representation, which shall be decided by the competent authority independently without being influenced by any observations made herein above.

With these observations, the writ petition is disposed of.

There shall, however, be no order as to costs.

(Harish Tandon, J.)

(Shampa Dutt (Paul), J.)

