

28 10.05.2022

gd/ssd

WPA(P)/175/2022
SRI MRINAL KANTI KHAN AND ORS.
VS
THE STATE OF WEST BENGAL AND ORS.

Mr. Arup Krishna Das
..for the Petitioners.

Mr. Samrat Sen,
Mr. Jahar Lal De,
Mr. Rudranil De
..for the State.

Mr. Harisankar Chattopadhyay
..for the Respondent Nos.8 to 10.

Mr. Supratim Dhar,
Mr. Kunal Ganguly,
Mr. Tirupati Mukherjee
..for the Proposed Respondents.

The grievance raised in this petition is that the vacant land measuring about 5 acres and 23 decimal situated under Mouza Jamuria, Plot no.1518, J.L. no.21, L.R. Khatian nos.954, 4236, 4237 and 4238 was earlier used by the local residents of Village Damodarpur for performing their social and religious function and also as a playground along with some other plots of land which were originally recorded in the name of Equitable Coal Company Limited in C.S.R.O.R. and thereafter Eastern Coalfields Limited was in possession of the same and thereafter this plot has been vested in the State by operation of law. The allegation is that since the month of January, 2017

some persons are claiming that they have purchased the land and are trying to construct thereon.

Learned counsel for the petitioners has pointed out that on the petitioners' representation the Block Land and Land Reforms Officer, Jamuria has already started enquiry in this regard and he has placed before us the notice dated 02.05.2022 issued by the Block Land and Land Reforms Officer, Jamuria in the process of the said enquiry asking the parties to appear before him on 11th May, 2022.

Since the allegation made in the petition is factual in nature and the enquiry is already in progress before the concerned B.L.&L.R.O., therefore, we are of the opinion that at this stage no interference in the present petition is required. Some of the private persons have appeared before us with the grievance that though they have a right over the land in question, but they have not been impleaded before the B.L.&L.R.O. and they have not been given opportunity of hearing.

We make it clear that all those persons who have some interest in the land will be granted an opportunity of hearing by the concerned B.L.&L.R.O. during the course of enquiry.

Hence, we dispose of the present petition directing the B.L.&L.R.O. to give an opportunity of hearing to all the concerned parties and take necessary action to

conclude the enquiry as expeditiously as possible preferably within a period of three months from the date of receipt of a copy of this order.

(Prakash Shrivastava, C.J.)

(Rajarshi Bharadwaj, J.)