

**Lalit Mohan Maity & Ors.
Vs.
The State of West Bengal & Ors.**

**Mr. Golam Mastafa,
Mr. Subir Sabud,
Mr. S. Sardar.**

... for the petitioners.

**Mr. Chandi Charan De,
Mr. Soumitra Bandopadhyay,
Mr. Anirban Sarkar.**

... for the State.

We are at fix after finding the writ petitioners challenging the order dated 17th February, 2022 passed by the 1st Bench, West Bengal Land Reforms and Tenancy Tribunal.

Mr. Mastafa, learned Advocate appearing for the petitioners, appeared before the Tribunal and candidly submitted that after perusing the compliance report he is satisfied that the order passed in OA 655 of 2013 had been duly complied with.

The Tribunal on the basis of the aforesaid submission of Mr. Mastafa did not proceed with the contempt application being MA 994 of 2014 and disposed of the same having lost its force.

Mr. Mastafa is appearing for the writ petitioner before us and submits that certain submissions, which was made before the Tribunal, have not been reflected in the impugned order.

If such being the contention before us, we do not think that the writ petition is maintainable in view of the ratio laid down in case of *State of Maharashtra vs. Ramdas Shrinivas Nayak & Anr.* reported in AIR 1982 SC 1249. It has been held therein that if there is wrong recording of events happened before the Court or there is omission of certain submissions, no

litigant shall be permitted to challenge the events recorded in the impugned order which is always treated as sacrosanct, nor challenge can be made by way of an affidavit. It is highlighted therein that in the event the litigant feels aggrieved either for non-recording of events happened before the Court/Tribunal or wrong recording of submissions, the remedy is to approach the same Judge before the events fade from his memory.

Since the challenge is only on the premise that certain submissions have not been recorded or reflected in the impugned order, we do not think that the Writ Court should exercise its discretion in this regard.

The writ petition is thus dismissed.

It is open to the writ petitioners to approach the appropriate forum for redressal of their grievances.

(Harish Tandon, J.)

(Shampa Dutt (Paul), J.)