

WPA 16219 of 2022

Raghu Mandi
Vs.
The State of West Bengal & Ors.

Adv. Bhaskar Chandra Manna,
...for the petitioner.
Adv. Ashim Kumar Ganguly,
Adv. Joydip Banerjee,
...for the State.

Heard learned counsels for the parties.

In the present writ petition the petitioner complains of inaction on the part of the State authorities for the reason that an application filed by the petitioner under Section 14C of the West Bengal Land Reforms Act, 1955 seeking permission to transfer his plot has not been considered by the said authority.

As stated in Section 2(r) of the West Bengal Land Reforms and Tenancy Tribunal Act, 1997, the West Bengal Land Reforms Act, 1955 is “specified Act”. In dealing with the jurisdiction, power and authority of the Tribunal, Section 6(b) of the Act of 1997 records that an application complaining inaction of an authority under the “specified Act” shall be dealt with by the Tribunal.

Section 8 of the Act excludes jurisdiction of courts to deal with matters under the “specified Act” except where such court exercises writ jurisdiction under Articles 226 and 227 of the Constitution by a Division Bench, or any civil court, except the Supreme Court.

In view of such proposition of law as laid down in the Act itself, this Court has no jurisdiction to deal with the matter pertaining to Section 14C of the West Bengal Land Reforms Act, 1955.

Accordingly, the writ petition being WPA 16219 of 2022 is dismissed as not maintainable.

There shall however, be no order as to costs.

Urgent certified website copy of this order, if applied for, be furnished to the parties upon compliance of necessary formalities.

(Suvra Ghosh, J.)