

**02.12.
2022**

Ct. No. 04

Ab

**IN THE HIGH COURT AT CALCUTTA
Constitutional Writ Jurisdiction
Appellate Side.**

**WPLRT 99 of 2022
With
IA No. CAN 1 of 2022**

**Md. Masaraf Laskar
Vs.
The State of West Bengal and others.**

**Mr. Syed Nasim Aeja,
Ms. Suman Rai.**

... for the petitioners.

**Mr. Md. Hasanuz Zaman,
Mr. Md. Zeeshanuz Zaman.**

... for the respondent no. 9.

**Mr. Jaharlal Roy,
Ms. Kabita Rani.**

... for the respondent nos. 10 & 11.

Re: CAN 1 of 2022.

This is an application seeking leave to file the instant writ petition challenging an order dated 3rd February 2021 passed by the West Bengal Land Reforms and Tenancy Tribunal in OA 3143 of 2019 as the Tribunal directed to record the name of the private respondents herein upon correcting the record of rights when the applicant herein have the substantial interest in respect of the subject property yet he was not impleaded as party thereto.

We peruse the impugned order and we do not find the manner in which the same has been understood and interpreted by the applicant to be correct.

Admittedly, the applicant was not a party to the said proceeding. By the impugned order, the tribunal application was disposed of directing the Block Land and Land Reforms Officer, Basanti, South 24-Parganas

to dispose of the said application with all its annexures to be treated as representation filed by the respondent no. 9 herein after giving an opportunity of hearing to all interested persons. The aforesaid direction can never be construed that the Tribunal directed the said authority to make a correction in the record of rights but a direction was passed upon the said authority to take an independent decision upon affording an opportunity of hearing to all interested persons.

The applicant claims to have a substantial interest in respect of the subject property and, therefore, we do not find any fetter on the part of the applicant in ventilating his grievance before the said authority.

We do not find that the applicant can be said to be aggrieved person to the order impugned before us and, therefore, the application seeking leave to file writ petition is dismissed.

Consequently, the writ petition is also dismissed.

(Harish Tandon, J.)

(Prasenjit Biswas, J.)