

WPA 17424 of 2022

Santosh Naskar & ors.
Vs.
The State of West Bengal & Ors.

Adv. S. P. Pahari,
Adv. Santi Pada Ghosh,
...for the petitioners.
Adv. S.M. Hassan,
Adv. Anupama Yasmin,
...for the Haldia Municipality.
Adv. Ashim Kumar Ganguly,
Adv. Karabi Roy,
...for the State.

Heard learned counsels for the parties.

The subject matter involved in the writ petition pertains to the West Bengal Estates Acquisition Act, 1953 and the West Bengal Land Reforms Act, 1955 which are defined as 'Specified Acts' under Section 2(r) of the West Bengal Land Reforms and Tenancy Tribunal Act, 1997.

Section 8 of the said Act enumerates that on and from the date from which jurisdiction, power and authority become exercisable under this Act by the Tribunal, the High Court, except where that Court exercises writ jurisdiction under Articles 226 and 227 of the Constitution by a Division Bench, or any civil court, except the Supreme Court, shall not entertain any proceeding or application or exercise any jurisdiction, power or authority in relation to adjudication or trial of disputes or applications relating to land reforms or any matter connected therewith or incidental thereto or any other matter under any provision of a specified Act.

In view of the above, this Court has no jurisdiction to deal with the writ petition and the same is liable to be dismissed on the maintainability ground.

Accordingly, the writ petition being WPA 17424 of 2022 is dismissed as not maintainable.

However, this order shall not preclude the writ petitioners from approaching the appropriate forum for redressal of their grievance.

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.)