

16.12.2022
Sl. No.966(ML)
srm

W.P.A. No. 24366 of 2017
Smt. Sulekha Saha & Ors.
Versus
The State of West Bengal & Ors.

Mr. Rudra Jyoti Bhattacharjee,
Ms. Debjani Ghoshal

....for the Petitioners.

The allegation of the petitioners is that the respondent authorities wrongly deleted the names of the petitioners from the record of rights and published a fresh record of rights indicating that a portion of the land allegedly belonging to the petitioners had been marked as a road, for the use of the common people. The dispute relates to Dag No.897/1028 of mouza Bara Nekua, District-Hooghly.

Challenging such action, the writ petition has been filed. The petitioners pray that the authorities be directed to cancel, rescind or withdraw the finally published record of rights, which is annexure P/2 to the writ petition.

The writ petition is not maintainable in its present form. The prayer of the petitioner for correction of the record of rights would be before the appropriate authority.

The other contention of the petitioners that a road was being constructed forcefully over the petitioners' land by the

West Bengal Panchayat and Rural Development Agency is not the subject matter of challenge in the writ petition. It is a subsequent cause of action.

Under such circumstances, the writ petition is disposed of without any orders, but upon granting liberty to the petitioners to challenge the subsequent events, in accordance with law. This Court has not gone into the merits of the issues raised by the petitioners.

There shall be no order as to costs.

Parties are to act on the basis of the server copy of this order.

(Shampa Sarkar, J.)