

WPLRT 38 of 2023

Khalil Dhali & Ors.
Vs.
The State of West Bengal & Ors.

Mr. Mukteshwar Maity
Md. Seeshanuz Zaman
Ms. Nupur Chowdhury
... for the petitioners

Mr. T. M. Siddiqui
Mr. Rudranil De
Mr. Sutanu Chakraborty
... for the State

The writ petitioners are aggrieved by an order dated February 16, 2023.

By the impugned order, the learned Tribunal found that, a belated appeal was sought to be filed by the writ petitioners challenging the order dated December 22, 2016. The appeal preferred was not admitted as the same was preferred after six years of the order. The learned Tribunal held that there was no existence of the appeal in the eye of law. In such circumstances, the learned Tribunal held that there was no impediment on the part of the concerned Block Land and Land Reforms Officer (BL&LRO) to execute the order passed in Misc. Case No. 14 of 2015. Learned Tribunal granted liberty to the concerned BL&LRO to execute the same

in accordance with law as per his wisdom.

The writ petition was taken up for consideration on June 9, 2023 when, after perusing the records the Court observed that, the order dated December 12, 2016 should be implemented by the concerned BL&LRO expeditiously.

Learned advocate appearing for the State makes over copies of the orders passed by the concerned BL&LRO executing the order dated December 22, 2016.

Learned advocate appearing for the writ petitioner submits that, the concerned BL&LRO did not issue any notice to it with regard to implementation of the order.

We are concerned with the impugned order dated February 16, 2023. The impugned order considers the request of the writ petitioner in light of the so-called appeal filed by the writ petitioner. The learned Tribunal is correct in holding that there was no appeal in the eye of law existed since, the appeal was preferred six years after the order of the concerned BL&LRO and that such appeal was yet to be admitted.

Learned Tribunal did not err in holding that the concerned BL&LRO was without any impediment in executing the order passed in Misc. Case No. 14 of 2015.

As on date, the order passed in Misc. Case No. 14 of 2015 passed by the concerned BL&LRO stands executed.

In such circumstances, we find no merit in the present writ petition.

WPLRT 38 of 2023 is dismissed without any order as to costs.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)