

06.06.2023
Item No.41
Ct. No.5
CHC
(disposed of)

W.P.L.R.T. 39 of 2023

**Md. Kamarujjaman
Vs.
The State of West Bengal & ors.**

Mr. Mohinoor Rahaman,
Ms. Iqra Rahaman
...for the petitioner

Mr. Soumitra Bandyopadhyay,
Mr. Subhasis Bandyopadhyay
...for the State

Mr. A. Datta
...for the respondent no.4

The writ petition is directed against an order dated January 3, 2023 passed by the West Bengal Land Reforms and Tenancy Tribunal.

By the impugned order, Block Land and Land Reforms Officer, Baduria, North 24 Parganas was directed to dispose of Misc. Case 589 of 2017 pursuant to which notice was issued as appearing at page-34 of O.A. No.3936 of 2017 in accordance with law after giving opportunity of hearing to all concerned as expeditiously as possible preferably within a period of six months from the date of communication of the order, if not already disposed of.

Learned advocate appearing for the petitioner submits that a suit for partition, declaration and injunction was filed by the petitioner which was decreed by the learned Trial Court in favour of the petitioner. On appeal, the decree was reversed. A Second Appeal is pending.

On a specific query from the Court as to whether there is any order of stay of the decree of the Appeal Court, learned advocate for the petitioner submits in the negative.

State and the private respondent are represented.

The impugned order directs the concerned Block Land and Land Reforms Officer to consider and decide the Misc.Case in accordance with law as expeditiously as possible and in presence of the private parties.

The impugned order does not affect any right of the petitioner.

The petitioner is at liberty to raise all the relevant issues before the Block Land and Land Reforms Officer. All points raised by the parties are kept open. We find no ground to interfere with the impugned order.

W.P.L.R.T. 39 of 2023 is disposed of accordingly.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)