

17.07.2023
Item No.21
Ct. No.5
CHC
(disposed of)

W.P.L.R.T.61 of 2011

Subhash Chandra Sarkar & ors.
Vs.
State of West Bengal & ors.

Mr. Srimanta Ray
...for the writ petitioners

Mr. Chandi Charan De, Ld. A.G.P.
Mr. Anirban Sarkar
...for the State

The writ petition is directed against an order dated December 9, 2010 passed by the West Bengal Land Reforms and Tenancy Tribunal in O.A.2156 of 2009.

By the impugned order, the Tribunal directed the concerned B.L. & L.R.O to dispose of a representation dated July 28, 1977 within a period specified therein.

Learned advocate appearing for the writ petitioners submits that, the learned Tribunal erred in directing disposal of the representation without setting aside the order of vesting.

State is represented.

It appears from the records that the writ petitioners approached the High Court by way of a

writ petition being C. R. No.6123(W) of 1972 which was disposed of by an order dated June 21, 1976.

By the order dated June 21, 1976, High Court allowed the writ petitioners to make a representation to the Revenue Officer for the purpose of considering the question of retention of land by them. The writ petitioners acted on the basis of such order and made a representation dated July 28, 1977 and a more detailed representation dated July 30, 2009.

The writ petitioners, thereafter, approached the Tribunal by way of O.A.2156 of 2009, where, they sought quashing of the settlement proceedings.

By the impugned order, the Tribunal directed disposal of the two representations made by the writ petitioners.

In the facts and circumstances of the present case, it would be appropriate that the concerned B.L. & L.R.O is directed to consider and decide the two representations made by the petitioners as directed by the Tribunal.

The concerned B.L. & L.R.O will dispose of the representations within a period of four (04) weeks from the date of communication of this order to him. He will afford a reasonable opportunity of hearing to the writ petitioners. He is at liberty to hear such other parties and consult with such documents that he

deems necessary. He will pass a reasoned order which he will communicate to the parties he heard.

In such circumstances, we find no ground to interfere with the impugned order.

W.P.L.R.T. 61 of 2011 is disposed of accordingly without any order as to costs.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)