

06.06.2023
Item No.59
Ct. No.5
CHC

W.P.L.R.T. 57 of 2023

Sunil Sikdar
Vs.
State of West Bengal & ors.

Mr. Mukteswar Maity,
Ms. Manika Sarkar
...for the petitioner

Sk. Md. Galib,
Mr. Kapil Guha
...for the State

By the impugned order dated February 28, 2023 West Bengal Land Reforms and Tenancy Tribunal found that the petitioner received patta under the provisions of the West Bengal Land Development and Planning Act, 1849/ Land Acquisition Act, 1894 and since such specified Acts were not within the purview of the West Bengal Land Reforms and Tenancy Tribunal Act, 1997. The Original Application was found to be not maintainable.

Learned advocate appearing for the petitioner submits that liberty of the petitioner to approach appropriate forum was not reserved by the impugned order and therefore, the writ petitioner is aggrieved.

State is represented.

The issue or issues sought to be raised by the writ petitioner before learned Tribunal was not adjudicated finally in view of the issue of the maintainability being determined as against the writ petitioner.

Consequently, the issues on merits that the writ petitioner seeks to raise were not decided by a competent forum at least by the West Bengal Land Reforms and Tenancy Tribunal.

In such circumstances, we find no material irregularity of the impugned order.

It is clarified that the writ petitioner is at liberty to approach the appropriate forum for ventilating his grievances, if there be any.

W.P.L.R.T. 57 of 2023 is disposed of accordingly.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)