

09.06.2023
Item No.5
Ct. No.5
CHC
(dismissed)

W.P.L.R.T.64 of 2023

Manindra Nath Sasmal
Vs.
The State of West Bengal & ors.

Mr. Soumitra Bandyopadhyay,
Mr. Priyabrata Batabyal
...for the State

None appears for the petitioner.

State is represented.

The writ petition was taken up for hearing on the previous occasion in presence of the learned advocate for the petitioner. Learned advocate for the petitioner then submitted that the petitioner was seeking early disposal of the Original Application pending before the Tribunal.

Upon perusing the materials on record including the prayer in the Original Application, request was made to the concerned Block Land and Land Reforms Officer to be present in Court today. Concerned Block Land and Land Reforms Officer is present in Court.

Learned advocate appearing for the State submits that, the petitioner approached the Writ Court earlier by way of W.P.26843 (W) of 2015, which was disposed of by an order dated April 12, 2016 requiring the Pradhan to dispose of the appropriate application made by the petitioner. The Court is informed that by an order dated July 24, 2020, the District Land and Land Reforms Officer rejected the application of the petitioner for grant of lease in respect of a pond.

Learned advocate appearing for the State refers to the record of rights and submits that, the plots of land over which, the petitioner seeks grant of lease, stands recorded in the name of the Government. According to him, the petitioner does not possess any right, title and interest in respect of the plots concerned.

The plots apparently are water bodies. The petitioner does not possess any right, title and interest in respect of the plots concerned.

The prayer in the Original Application therefore to pass an order for mandatory direction to grant long term lease in respect of the water bodies concerned is without any foundational basis.

In such circumstances, it would be appropriate to dismiss O.A.1860 of 2020 pending

before West Bengal Land Reforms and Tenancy Tribunal.

Learned advocate for the State is requested to communicate this order to the West Bengal Land Reforms and Tenancy Tribunal for compliance.

There is no merit in the present writ petition.

W.P.L.R.T. 64 of 2023 is therefore dismissed.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)