

DL-24

16.06.2023
Court No.5
(AD)

WPLRT 35 of 2021
With
IA No.: CAN 1 of 2021
Md. Salauddin & Ors.
Vs.
The State of West Bengal & Ors.

Mr. Sabir Ahmed
Mr. Abdur Rakib
Mr. Biswajit Sarkar
Mr. Shraman Sarkar
Mr. Dhiman Banerjee

... for the petitioners.

Md. T.M. Siddiqui
Mr. Supratim Dhar

... for the State.

Mr. Ramdulal Manna
Ms. Manju Manna (Dey)
Mr. Sayan Mukherjee
Ms. Payel Khanra

... for the private respondents.

The writ petition is directed against the order dated March 17, 2016.

By the impugned order, the learned Tribunal directed O.A. No.1280 of 2011 to be adjourned *sine die*.

Apparently, the writ petitioners before us were not party-respondents in O.A. No.1280 of 2011. The writ petitioners before us were directed to be added as party-respondents in such proceedings. The writ petitioners were added to the O.A. 1280 of 2011 pursuant to the order passed by the High Court on August 24, 2011 in WPLRT No.163 of 2011. The writ petitioners thereafter applied for dismissal of O.A. 1280 of 2011 by M.A. 439 of 2014. By the

impugned order, the learned Tribunal directed O.A. 1280 of 2011 to be adjourned *sine die*.

Apparently, there is a criminal case pending in which certain documents are alleged to be forged. The private respondents who are the applicants before the learned Tribunal seeks relief that new LR Khatian be opened in the name of the private respondents in terms of the order dated July 14, 2004. The private respondents also sought for a relief of calling for the records of the District Land & Land Reforms Officer, Malda and Block Land & Land Reforms Officer, Kaliachak. The claim of the private parties with regard to the plots in question is required to be decided by the concerned authorities on the basis of the records available to them.

In such circumstances, it would be appropriate to set aside the direction of the learned Tribunal of adjournment of the original application *sine die*.

We request the learned Tribunal to consider and dispose of O.A. 1280 of 2011 on merits as expeditiously as possible and preferably within a period of six months from the date of communication of this order.

All points raised by the parties are kept open.

WPLRT 35 of 2021 and **IA No.: CAN 1 of 2021** are disposed of accordingly.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)

