

26.06.2023
Item No.8
gd/ssd

WPA(P)/278/2023
KRITTIBAS GHOSH
VS
STATE OF WEST BENGAL AND ORS.

Mr. Sankar Paul,
Ms. Tapati Sarkar
..for the Petitioner.

Mr. Lalitmohan Mahata,
Mr. Supratim Dhar
..for the State.

Mr. Tanmay Basu
..for the Respondent Nos.8 and 9.

1. This petitioner by way of a public interest litigation challenges two aspects: firstly, regarding the conversion of the land in RS and LR No.9019 of Mouza-Barnia, Police Station-Palashipara, District-Nadia; the second complaint is that illegal construction has been put up by the private respondents in the said plot of land.

2. If, according to the petitioner, the land has been illegally converted by way of an order, then the remedy is to make a larger complaint/petition before the 4th respondent, namely, the Block Land and Land Reforms Officer, Tehatta-II. If, according to the petitioner, no building plan approval should have been granted, then the petitioner has to approach the 7th respondent/Panchayat. If, according to the Block Land and Land Reforms Officer has passed the order, then

the appeal lies in terms of Section 54 of the West Bengal Land Reforms Act, 1955.

3. Therefore, at this juncture we cannot entertain this public interest litigation.

4. The learned Government counsel points out that if the Additional District Magistrate and Land Reforms Officer, Nadia has already passed an order, then the Block Land and Land Reforms Officer will have no jurisdiction and the only remedy for an aggrieved person would be to file an appeal under Section 54 of the West Bengal Land Reforms Act, 1955.

5. Therefore, at this juncture we cannot issue a direction as sought for.

6. However, we leave it open to the petitioner to work out the remedies in the manner known to him.

7. With the above observations, the writ petition stands disposed of.

(T. S. SIVAGNANAM)
CHIEF JUSTICE

(AJAY KUMAR GUPTA, J.)