

22.06.2023
Item No.6
Ct. No.5
CHC
(disposed of)

W.P.L.R.T.48 of 2021

**Abdul Latif Mondal & ors.
Vs.
State of West Bengal & ors.**

Mr. Partha Pratim Roy,
Mr. Ramij Munsu,
Mr. Rittick Chowdhuri,
Mr. Nishant Choudhury
...for the writ petitioners

Md. T. M. Siddiqui, Ld. A.G.P.
...for the State

The order impugned is dated February 8, 2021 passed by the West Bengal Land Reforms and Tenancy Tribunal in O.A.3169 of 2017.

By the impugned order, the learned Tribunal found that the issue raised by the writ petitioners, was involved in a proceedings before the Hon'ble Supreme Court being the case of Paschim Banga Rajya Bhumi Jibi Sangha. Tribunal noted that, District Land and Land Reforms Officer kept the proceedings in abeyance till the final conclusion of the case of Paschim Banga Rajya Bhumi Jibi Sangha.

In such context, the Tribunal found the Original Application to be premature and dismissed the same.

In the writ petition, amongst others, the writ petitioners complain that, taking note of the pendency of the proceedings before the District Land and Land Reforms Officer, the State authorities are changing the nature and character of the suit property. The State authorities are creating third party interest in respect of immovable properties concerned.

The coordinate Bench called for a report from the State authorities with regard to the status of the immovable properties concerned. Report in the form of affidavit was submitted on behalf of the State through the concerned Block Land and Land Reforms Officer, affirmed on November 8, 2021.

The report contains the status of the land in question.

In such circumstances, in our view, interest of justice would be subserved by requiring the State as well as the private parties to maintain *status quo* with regard to the immovable properties concerned, as appearing in the report in the form of an affidavit affirmed on November 8, 2021.

We clarify that, the proceedings will commence from the order dated June 6, 2017 passed

by the concerned District Land and Land Reforms Officer from which, the Original Application was filed.

With the aforesaid observations, W.P.L.R.T. 48 of 2021 is disposed of.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)