

Dd 03 24.07.2023

WPLRT 81 of 2023

***Sakhi Soren & Ors.
Vs.
The State of West Bengal & Ors.***

*Mr. Dhananjoy Banerjee,
Mr. Arup Kumar Bhowmik, Advocates
... .. For the Petitioners*

*Mr. Somnath Ganguly,
Mr. Priyankar Saha, Advocates
... .. For the State*

The writ petition is directed against an order dated July 26, 2022 passed by the West Bengal Land Reforms and Tenancy Tribunal in O.A. No. 1820 of 2014(LRTT).

Grievance of the writ petitioners is that, despite requests being made for correction of Record of Rights, subsequent to a Title Suit of declaration along with an appeal preferred therefrom failing as against the writ petitioners, no steps were being taken.

Learned advocate appearing for the State draws the attention of the Court to the contents of the impugned order. He submits that initially, the writ petitioners made a representation to the District Land Reforms Officer. Thereafter, they caused their advocate to issue a letter dated May 19, 2014 requesting for correction of Record of Rights without any annexures or any documents. The Tribunal allowed the writ petitioners to make a formal application before the concerned Block Land and Land Reform Officer (BL&LRO) for its due consideration. Therefore, there is no infirmity in the impugned order.

Apparently, there was a civil suit between the private parties. The petitioners before us were the

defendants in the civil suit. The suit was for declaration and injunction. The plaintiff in such suit failed to obtain a decree. On appeal, the appeal Court affirmed the judgment and decree of the trial Court.

The petitioners applied for correction of Record of Rights. Petitioners claim that the representation was made to the concerned BL&LRO. State claims that a representation was made to the District Land and Land Reforms Officer.

Be that as it may, there is a writing dated May 19, 2014 by the advocate of the writ petitioners requesting for recording the names of the writ petitioners in the Record of Rights. Such application is yet to be disposed of by the concerned BL&LRO.

In reply to a query of the Court whether, there is any prescribed format for the purpose of applying for correction of Record of Rights, learned advocate for the State submits that statute does not provide any format.

In such circumstances, the concerned BL&LRO will treat the letter dated May 19, 2014, issued by the advocate for the petitioners, as an application for correction of the Record of Rights and will proceed in accordance with law with regard thereto forthwith. He will afford a reasonable opportunity of hearing to the petitioners. He will pass a reasoned order which he will communicate to the parties he heard forthwith thereafter. He will complete the entire exercise preferably within four weeks from the date of communication of this order.

With the aforesaid direction, WPLRT 81 of 2023 is **disposed of** without any order as to costs.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)