

13.07.2023
Item No.4
Ct. No.5
CHC
(disposed of)

W.P.L.R.T.83 of 2023

Amarnath Misra & ors.

Vs.

The State of West Bengal & ors.

Mr. Animesh Mukherjee,
Md. Ali Ahasan
...for the writ petitioners

Mr. Somnath Ganguly, Ld. A.G.P.
Mr. Raja Ram Banerjee
...for the State

The writ petition is directed against an order dated November 17, 2022 passed by the West Bengal Land Reforms and Tenancy Tribunal in O.A.118 of 2021.

By the impugned order, the Tribunal permitted the respondents to file affidavit. The Tribunal fixed the date of hearing after more than a year. Aggrieved by the delay, the writ petitioners are before Court.

Learned advocate appearing for the writ petitioners submits that in the Original Application, the writ petitioners sought a direction upon the authorities to consider and decide a representation dated November 9, 2020 lodged with the Block Land and Land Reforms Officer, Purulia-I.

State is represented. All respondents both before the Tribunal and here are State authorities.

The entirety of the relief claimed in the Original Application revolves round a representation that November 9, 2020 made to the concerned B.L. & L.R.O. for correction of the record of rights. There is no reason as to why such application for correction of the record of rights should not be considered by the concerned B.L. & L.R.O. in accordance with law.

In such situation, we find that keeping the Original Application pending and requiring the Tribunal to dispose of the same on the date fixed would not enure to the benefits of the litigants as also be not in the interest of justice.

In our view, in the facts and circumstances of the present case, interest of justice would be subserved by requiring the concerned Block Land and Land Reforms Officer to consider and decide the application dated November 9, 2020 as expeditiously as possible and preferably within a period of six weeks from the date of communication of this order to him. The concerned Block Land and Land Reforms Officer is at liberty to hear such other parties and consider such document that he deems appropriate. He will pass a reasoned order which he will communicate to the parties.

With the aforesaid direction, W.P.L.R.T. 83 of 2023 stands disposed of.

In view of this order nothing survives in the Original Application.

O.A. 118 of 2021 (LRTT) pending before West Bengal Land Reforms and Tenancy Tribunal stands disposed of.

Writ petitioner will inform this order to the learned Tribunal within seven days from date.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)