

DL-27

15.06.2023
Court No.5
(AD)

WPLRT 51 of 2020

**Latika Ghosh & Ors.
Vs.
State of West Bengal & Ors.**

Mr. Jahar Lal Roy

... for the petitioners.

*Md. T.M. Siddiqui
Mr. Ayan Banerjee
Ms. Debasree Dhamali*

... for the State.

The writ petition is directed against an order dated November 28, 2019.

Learned Advocate appearing for the writ petitioners submits that, he did not make any concession as recorded in the impugned order. He submits that, the provision of Section 14T was declared to be *ultra vires*. The challenge to such declaration is pending before the Hon'ble Supreme Court.

Learned Advocate appearing for the State submits that, the petitioner notwithstanding his contention, is endowed with a right of statutory appeal under Section 54 of the West Bengal Land Reforms Act, 1955.

We find that, the writ petitioners are yet to avail of the remedies under the statute.

In view of existence of statutory alternative remedy to the writ petitioners, which is equally efficacious we do not deem it appropriate to exercise our discretionary

jurisdiction under Article 226 of the Constitution of India.

Moreover, the learned Tribunal by the impugned order, granted liberty to the writ petitioners to prefer an appeal before the authority concerned with a prayer for condonation of delay.

WPLRT 51 of 2020 is disposed of accordingly.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)

