

CALCUTTA HIGH COURT
IN THE CIRCUIT BENCH AT JALPAIGURI
APPELLATE SIDE

The Hon'ble **JUSTICE BIBEK CHAUDHURI**

WPA 183 of 2023

Santosh Kumar Gupta
Vs.
The State of West Bengal & Ors.

Mr. Satyaki Basu
..for the petitioner

Mr. Haider Ali
Mr. Satyam Sarkar
...for the respondent Nos. 6, 7 and 8

Mr. Hirak Barman
Mr. Momenur Rahman
..for the State

Item No. 11

Judgment on: 31.01.2023

BIBEK CHAUDHURI, J. : –

The petitioner has approached this Court for issuance of a writ of mandamus directing the jurisdictional BL& LRO to delete the names of private respondent Nos. 5 and 6 from the record of rights in respect of a piece of land and record such land in the name of the petitioner on the ground that the petitioner has become lawful owner of the property in question

by virtue of a deed of sale executed by one Shoyeta Chatterjee in favour of the petitioner. It is submitted by the learned advocate for the petitioner that one Bakra Singh and Khakra Singh were the recorded owners in respect of plot No.84/555 measuring about 3.59 acres of land. The said Bakra Singh transferred 15 decimal of land to Marmen Lama. Shoyeta Chatterjee being the granddaughter of Marmen inherited the property and sold out the same to the petitioner. The petitioner's name was recorded in respect of 5 decimal of land. However, the BL& LRO refused to record his name in respect of 10 decimals of land on the ground that the said land was vested land and patta was given to the private respondent Nos. 5 and 6.

The issue involved in the instant writ petition is exclusively triable by the Land Reforms and Tenancy Tribunals, West Bengal.

This Court has no jurisdiction to try the instant writ petition. Accordingly, the instant writ petition is dismissed.

There shall be no order as to costs.

(Bibek Chaudhuri, J.)