

Court No. 2
15.7.2024
(Item No. 34)
(AB)

IN THE HIGH COURT AT CALCUTTA
Constitutional Writ Jurisdiction
Appellate Side
W.P.A. 15545 of 2024

Bagala Prasad Banerjee
VS
The State of West Bengal & Ors.

Mr. Ambar Nath Banerji
Ms. Leena Panja
Ms. Amrita Panja Moulick
.... For the petitioner
Mr. Somnath Ganguli
Mr. Sukalpa Seal
.... For the State

Affidavit of service filed in Court today, is
taken on record.

Mr. Ambar Nath Banerji, learned advocate
appears for the petitioner.

Mr. Somnath Ganguli, learned State counsel
appears for respondent Nos. 1 to 6.

The respondent Nos. 7 to 9 and the private
respondent Nos.10 and 11 are not represented,
despite notice. The law presumes that, they do not
intend to defend this writ petition.

The petitioner claims for correction of Mouza
Map. Referring to a communication dated **April 10,**
2023, annexure P-2 at **page 35** to the writ petition,
learned counsel for the petitioner submits that, the
respondent No. 4 had already issued an instruction
upon the respondent No. 6 to take appropriate steps
as directed therein by drawing up a proceeding under

Section 50 of the West Bengal Land Reforms Act, 1955 read with **Technical Rule 105** for correction of Mouza Map. He then refers to the **annexure P-3** at **page 36** to the writ petition which shows that, the respondent No. 6 in turn had sent the matter before the respondent No. 8 but no step has been taken till date.

After considering the submissions made on behalf of the parties and upon perusal of the materials on record, to sub-serve justice, the respondent No. 4 shall hold a meeting calling upon the petitioner, respondent No. 6, respondent No. 8, respondent No. 10 and respondent No. 11 upon issuing a prior notice to them and shall hold the meeting positively within a period of **four weeks** from the date of communication of this order. The meeting shall be held by the respondent No. 4 must end with a minute to be drawn up bearing signatures of the parties attending therein.

The respondent Nos. 6 and 8 then shall carry out the necessary instruction of the respondent No. 4 in terms of the said communication dated **April 10, 2023, annexure P-2** at **page 35** to the writ petition positively within a period of **six weeks** from the date of the said meeting to be held by the respondent No. 4.

After completing the aforesaid exercise the respondent Nos. 6 and 8 shall furnish their reports

before the respondent No. 4 within the said period of **six weeks** as directed above.

The respondent No. 4 upon receiving such reports from the respondent Nos. 6 and 8 shall complete the process and inform the petitioner positively within a period of **two weeks** from the date of receiving such reports from the respondent Nos. 6 and 8.

In the event, there is any rejection of the petitioner's prayer for correction of Mouza Map then the respondent No. 4 shall inform the reasons for the same to the petitioner.

It is made clear that, this order shall not create any right or equity in favour of the petitioner, if the petitioner is otherwise found not to be eligible to receive the said revised Mouza Map in accordance with law.

In the event, any further assistance are required from the petitioner or any production of document is required by the petitioner the respondent Nos. 4, 6 and 8 shall call upon for the same and the petitioner shall render of its assistance in this regard. The petitioner shall participate at every stage in every meeting and shall render all its assistance either by himself or their duly authorized representative, as the case may be, considering that the petitioner today is more than 80 years old.

Since affidavits are not called for, the allegations made in this writ petition are deemed not to have been admitted by the respondents.

With the above observations and directions this writ petition, **WPA 15545 of 2024** stands disposed of, without any order as to costs.

Photostat certified copy of this order, if applied for, be furnished expeditiously.

(Aniruddha Roy, J.)