

11.11.2024
rpan/11

WPLRT 100 of 2024
Manoranjan Jana & Others
– *Versus* –
State of West Bengal & Others

Mr. S. P. Pahari
... for the Petitioners.

Md. T. M. Siddiqui,
Ms. Debdooti Dutta,
Mr. Suddhadev Adak
... for the State/Respondents.

This writ petition challenges the Tribunal's order of February 1, 2024 passed by the learned Tribunal in the original application (in short, OA) no. 1418 of 2017 (LRTT), which noted that, despite a prior directive on August 11, 2022, the Government representative had not yet produced the reconstructed case record. Consequently, the Tribunal ordered the submission of the record on the returnable date and adjourned the matter to November 28, 2024.

Mr. Pahari, learned advocate appearing for the petitioners, submits that the OA has been pending since 2007, and despite directions, the State has not reconstructed or produced the original record before the learned Tribunal. Instead, the State has repeatedly sought adjournments, leaving the OA pending for nearly 17 years. Given this situation, he urges us to examine the merits of the OA and resolve the issues raised therein.

Md. Siddiqui, learned Additional Government Pleader representing the State/respondents, submits, upon instruction, that in compliance with the order dated August 11, 2022, a Misc. case was initiated by the DL&LRO, in which

the petitioners also participated. He contends that the petitioners were asked to provide all documents lying in their possession. However, due to their lack of cooperation, the records have not yet been reconstructed.

Heard the learned advocates and perused the materials on record. Record reveals that for various reasons, the record is unavailable in the offices of either the BL&LRO or the DL&LRO. Given this context, the learned Tribunal directed the State to take effective steps for the reconstruction of the original file. As reported, in compliance with the order dated August 11, 2022, a Misc. case has been initiated, and the petitioners have been asked to provide the documents lying in their possession. The learned Tribunal directed the Government representative to produce the reconstructed file on November 28, 2024, noting that the reconstructed records, if submitted, would assist the Tribunal in ascertaining the legality of the vesting proceedings.

Since the learned Tribunal is seized of the matter, we find no justification or acceptable reason to issue any further directions.

In view of above, no interference is called for. Accordingly, the writ petition stands dismissed, however, without any order as to costs.

Urgent photostat certified copy of this order, if applied for, be supplied to the parties, upon compliance of all requisite formalities.

(Partha Sarathi Chatterjee, J.) (Tapabrata Chakraborty, J.)