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07.10.2024
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WPA 22014 of 2024

Anath Bandhu Shyam
Vs.
The State of West Bengal & Ors.

Mr. Pinaki Ranjan Chakraborty
... for the petitioner.

Mr. Amit Banerjee
... for the respondent no. 10.

Mr. Ashim Kumar Ganguly
Mr. Subrata Dasgupta
... for the State.

The petitioner claims that his father namely Biswanath Shyam was a recorded 'bargadar' in respect of R.S. Plot No., 107 corresponding to L.R. Plot No. 107, J.L. No. 50, Mouza-Hariki under Police Station Kanksa, District Paschim Bardhaman measuring about 55 Satak.

The petitioner states that his father died on January 6, 2002 leaving behind him surviving the mother of the petitioner being the widow, three sons and two married daughters. The petitioner alleges that after the death of the father, the name of the petitioner ought to have been recorded as a 'bargadar' in the record of rights in place of his father.

Learned advocate for the private respondent

submits that the respondent no. 10 is a subsequent purchaser and his name has been duly recorded in the Record of Rights as a 'raiyat'.

Pursuant to the earlier order, the Inspector-in-Charge, Kanksa Police Station files a report dated October 5, 2024, which is taken on record. It has been stated in the said report that on verification, it was found that the name of 'bargadar' namely Biswanath Shyam was deleted on May 18, 2016. The petitioner has impleaded the Revenue Officers by name. In the said report, the joining dates of the Revenue Officers have been indicated wherefrom it appears that all of them joined in the year 2022 and deletion of the name of the father of the petitioner took place sometimes in the year 2016.

The Inspector-in-Charge, Kanksa Police Station after a preliminary inquiry has found that the allegation against the Revenue Officer and the office staffs could not be substantiated by the petitioner.

This Court is, therefore, of the considered view that the petitioner failed to substantiate that the record of rights were changed illegally by the Revenue Officers.

Since the petitioner has alleged that recording in

the Record of Rights is erroneous, petitioner is left free to take steps in accordance with law before the appropriate forum for correction of record of rights.

With the above observations, the writ petition stands disposed of.

There shall, however, be no order as to costs.

(Hiranmay Bhattacharyya, J.)