

50 24.9.2024
Sc Ct. no.2

WPA 22048 OF 2024

Nitai Paul & Anr.

Vs.

The State of West Bengal & Ors.

Mr. Timir Baran Saha

....For the Petitioners

Mr. Soumitra Bandyopadhyay

Mr. Priyabrata Batabyal.

.....For the Respondent
Nos. 1 to 4

Mr. Siddhartha Sankar Mandal

Ms. Sharmistha Dhar

Ms. Arunima Das Sharma.

.....For the Respondent
Nos. 5 & 6

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

The petitioners have filed this writ petition and the
principal prayer of the petitioners is quoted below :

*“(a) A writ in the nature of
Mandamus directing the respondents to
correct and/or rectify the Record of Rights in
terms of the letter dated 01.08.2024 within a
stipulated period;”*

Mr. Timir Baran Saha, learned counsel appears for
the petitioners.

Mr. Soumitra Bandyopadhyay, learned State
counsel appears for the respondent nos. 1 to 4.

Mr. Siddhartha Sankar Mandal, learned counsel
appears for the respondent nos. 5 and 6.

In view of the provisions laid down under **Sub-Section (r) to Section 2** of **The West Bengal Land Reforms and Tenancy Tribunal Act, 1997**, this Court is of the considered view that, the writ petition is not maintainable and the jurisdictional Land Reforms and Tenancy Tribunal is the appropriate forum under the statute.

However, the petitioners shall be at liberty to initiate appropriate proceeding before the jurisdictional Land Reforms and Tenancy Tribunal in accordance with law.

It is made clear that, this Court has not gone into the merits of this writ petition and the petitioners shall be at liberty to take whatever points they wish to take before the jurisdictional tribunal.

In the event the petitioners initiate appropriate proceeding before the jurisdictional Land Reforms and Tenancy Tribunal within a period of **two months** from date, the jurisdictional tribunal shall register the same and shall dispose of the same after granting an opportunity of hearing to the parties thereto by passing a reasoned order in accordance with law within a period of **eight months** from the date of filing of the said proceeding before the jurisdictional tribunal.

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

With the above observations and directions, this writ petition, **WPA 22048 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.)