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Ct No.02
23.07.2024
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Calcutta High Court
In The Circuit Bench at Jalpaiguri
Appellate Jurisdiction

WPA No. 646 of 2024

Dilip Sarkar
-vs-
The State of West Bengal & ors.

Mr. Shubhankar Dutta
...for the petitioner
Mr. Subir Kumar Saha
Mr. Pradip Sarkar
...for the State

Affidavit of service filed on behalf of the petitioner is taken on record.

It does not appear that the private respondents could be served with notice.

Report filed on behalf of the State is also taken on record.

Copy of the same is handed over to the learned counsel for the petitioner.

Learned counsel appearing on behalf of the petitioner submits as follows. The petitioner is the owner of the land in question being .49 acres in Malbazar. The private respondent applied for mutation for a piece of land in Rajganj. Yet, the land belonging to the petitioner was mutated in the name of the private respondent. The petitioner has filed an

application before the concerned BL & LRO. But, the same has not been proceeded with by the concerned authorities.

Learned counsel appearing on behalf of the State relies on the report, denies the allegations and submits as follows. The hearing for mutation took place in the presence of all the parties including the petitioner. It is, thus, open to the petitioner to file an application in terms of Section 54 of the WBLR Act, 1955.

It appears that the petitioner has already filed an application before the BL & LRO, which is still pending.

Let the concerned BL & LRO dispose of the application filed by the petitioner expeditiously and in accordance with law after hearing the concerned parties, preferably within a period of six weeks from this date.

No further order need be passed in this regard.

With these observations, the writ petition is disposed of.

Urgent photostat certified copy of this order be supplied to the parties, if applied for, as early as possible.

(Jay Sengupta, J.)