

24.09.2024
Court No. 2
Sl. No.23
AGM

**Calcutta High Court
In the Circuit Bench at Jalpaiguri
Appellate Jurisdiction**

W.P.A. 2044 of 2024

**Ajinta Minj
-versus
State of West Bengal & Ors.**

**Mr. Achintya Banerjee.
...For the Petitioner.**

**Mr. Subir Kumar Saha. AGP
Mr. Nabankur Paul.
... For the State.**

The application filed by the petitioner seeking permission to sell land to non-tribal persons appears to be pending before the Revenue Officer, Siliguri and the Project Officer-cum-DWO Backward Classes Welfare and Tribal Development.

By an information provided under the Right to Information Act, the Project Officer-cum-DWO vide communication being Memo No. 1907 /BCW dated 11.09.2024 informed that the application could not be processed and disposed of as the petitioner failed to provide documents in connection with the ownership of the holding to be transferred.

Learned advocate for the petitioner submits, upon instruction that, the petitioner is in possession of all documents in support of her ownership.

As it appears that the application of the petitioner could not be processed and is pending consideration for a considerable period of time, accordingly, the respondent no. 3 is directed to consider and dispose of

the said application strictly in accordance with law after giving reasonable opportunity of hearing to all the necessary parties. A reasoned order shall be passed and communicated to the parties immediately thereafter.

The aforesaid respondent is retrained from entering into any disputed question of facts as regards ownership of the subject property.

The entire exercise shall be concluded at the earliest but positively within a period of ninety days from the date of communication of this order.

The writ petition stands disposed of.

Urgent certified photocopy of this order, if applied for, be supplied to the parties upon compliance of usual legal formalities.

(Amrita Sinha, J.)