

04.01.2024
Item No.15
gd

WPA/2888/2023
NARAYAN CHANDRA MODAK @ NARAYAN
CH. MODAK
VS
THE STATE OF WEST BENGAL & ORS.

Mr. Bappa Dutta
..for the Petitioner.

Mr. Momenur Rahman,
Mr. Bikash Singha
..for the State.

The petitioner has alleged inaction of an authority under the West Bengal Land Reforms Act, 1955 which is a specified Act under Section 2(r)(ii) of the West Bengal Land Reforms and Tenancy Tribunal Act, 1997.

Section 6 of the 1997 Act provides that the West Bengal Land Reforms and Tenancy Tribunal shall have jurisdiction, power and authority in relation to an application complaining inaction or culpable negligence of an Authority under a specified Act.

Section 8 of the 1997 Act provides that the High Court except where that court exercises writ jurisdiction under Articles 226 and 227 of the Constitution by a Division Bench, or any civil court, except the Supreme Court, shall not entertain any proceeding or application or exercise any jurisdiction, power or authority in relation to adjudication or trial

of disputes or applications relating to land reforms or any matter connected therewith or incidental thereto or any other matter under any provision of a specified Act.

In view of the above, this court is not inclined to entertain this writ petition.

This writ petition accordingly, stands dismissed as not maintainable.

The petitioner will be at liberty to approach the appropriate forum in accordance with law for the selfsame reliefs.

Urgent certified copy of this order, if applied for, be given to the learned advocates for the parties on usual formalities.

(HIRANMAY BHATTACHARYYA, J.)