

**IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION
APPELLATE SIDE**

Present:

The Hon'ble Justice Debangsu Basak

And

The Hon'ble Justice Md. Shabbar Rashidi

WPLRT 4 of 2025

Sufiar Rahaman Seikh

Vs.

State of West Bengal & Ors.

For the Petitioner : Mr. Jahar Lal Roy, Advocate
Ms. Kavita Rani, Advocate

For the State Respondents : Mr. Sk. Md. Galib, Ld. Sr. Govt. Advocate
Ms. Priyamvada Singh, Advocate

Heard & Judgment on : April 30, 2025

DEBANGSU BASAK, J.:-

1. Petitioner assails an order dated September 25, 2024 passed in O.A. 2401 of 2018 (LRTT) of the West Bengal Land Reforms and Tenancy Tribunal.
2. Learned Advocate appearing for the petitioner submits that, the petitioner claimed right, title and interest in respect of plot no.1063. Petitioner applied under Section 14U(3) of the Land Reforms Act, 1955. Such application was not considered by the concerned Block Land & Land Reforms Officer. Consequently, petitioner approached the learned Tribunal for relief.

3. Learned Advocate appearing for the petitioner submits that, the learned Tribunal erred in finding the original application to be not maintainable. He submits that, plot no.1063 exists. Learned Tribunal erred in holding that, plot no.1063 is not in existence in the computerized record of rights as well as in the RS Khatian No.111.
4. Learned Advocate appearing for the State relies upon a report submitted by the concerned Block Land & Land Reforms Officer in this regard.
5. Learned Advocate appearing for the State submits that, the plot no.1063 stood vested under the provisions of the West Bengal Estate Acquisition Act, 1953.
6. It appears from the materials made available on record that, plot no.1063 was said to be vested with the State under the provisions of Section 14T of the West Bengal Land Reforms Act, 1955. There also a title suit filed by the petitioner before us which declared the title of the petitioner before us in respect of such plot of land. Petitioner applied under Section 14U(3) of the Act of 1955.
7. In our view, learned Tribunal erred in holding that, plot no.1063 ceased to exist. With respect, the State may take the plea that, the plots stand vested under relevant provisions of law and that the request of the petitioner cannot be granted. However, such plea would be in respect of the plot concerned. The concerned Block Land & Land

- Reforms Officer, however, is obliged to dispose of the application under Section 14U(3) of the Act of 1955, in accordance with law.
8. The application made by the petitioner under Section 14U(3) of the Act of 1955 is yet to be disposed of by the Block Land & Land Reforms Officer.
 9. In such circumstances, the concerned Block Land & Land Reforms Officer will consider and decide the application under Section 14U(3) of the Act of 1955 filed by the petitioner in accordance with law. He will afford a reasonable opportunity of hearing to the petitioner. He is at liberty to hear such other parties and consult such documents that he considers appropriate. He will pass a reasoned order which he will communicate to the parties he heard forthwith thereafter. It is expected that he concludes the entire exercise within a period of eight weeks from the date of communication of this order to him.
 10. We clarify that, we did not enter into the merits of the rival contentions of the parties with regard to their stands in respect of the plot is concerned. It is left open to be adjudicated by the appropriate authority, in accordance with law.
 11. **WPLRT 4 of 2025** is disposed of without any order as to costs.

(Debangsu Basak, J.)

12. I agree.

(AD)

(Md. Shabbar Rashidi, J.)