

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

1 11.3.2025
Sc Ct. no.2

WPA 1247 OF 2024

Md. Asgar Ali Piada

Vs.

The State of West Bengal & Ors.

Ms. Neelanjana Ghorui

....For the Petitioner

Mr. Chandi Charan De, AGP

Mr. Anirban Sarkar.

.... For the Respondents
State

Ms. Neelanjana Ghorui, learned advocate appearing for the petitioner places a written instruction, received from her client, dated **February 10, 2025** wherefrom it appears that she has received instruction to withdraw this writ petition, the written instruction is kept on record.

Mr. Chandi Charan De, learned Additional Government Pleader with Mr. Anirban Sarkar, learned advocate appears for the State respondents.

Learned advocate appearing for the petitioner submits that, the claim of the petitioner is basically for correction of Record of Rights as the concerned Record of Rights shows the incorrect recording, according to the petitioner.

Be that as it may, this Court does not go into the merits of the claim of the petitioner neither does it

express any opinion on it. It is equally true that, for the prayer for correction of Record of Rights, the proceeding shall lie before the jurisdictional Land Reforms and Tenancy Tribunal.

This Court is of the view that, on the technical ground of pendency of this writ petition, the writ petitioner should not be nonsuited from his claim.

In view of the above, this writ petition, **WPA 1247 of 2024** stands ***dismissed as withdrawn***.

However, the petitioner shall be at liberty to apply before the jurisdictional Land Reforms and Tenancy Tribunal restricting his claim only to the extent of correction of Record of Rights and not beyond that. Such an application shall be filed before the jurisdictional Land Reforms and Tenancy Tribunal within a period of ***four weeks*** from date.

It is made clear that, the jurisdictional Land Reforms and Tenancy Tribunal shall proceed independently in accordance with law on the basis of the merits of the case and shall not be influenced by observation, if any, made by this Court.

(Aniruddha Roy, J.)