

**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

W.P.L.R.T. 13 of 2025

M/s. Biswas Ventures LLP.

vs.

The State of West Bengal & ors.

For the Petitioner : Md. Shafiul Alam, Advocate
Dr. Kalyan Mitra, Advocate

For the State : Mr. T. Chakraborty, Advocate
Mr. S. Adak, Advocate

For the
Respondent No.6 : Mr. Abhishek Halder, Advocate
Mrs. Puspamisra, Advocate
Ms. Madhurima Bar, Advocate

Heard on : 14.05.2025

Judgment on : 14.05.2025

DEBANGSU BASAK, J.:-

1. Writ petition is at the behest of the private respondent in O.A.4000 of 2023 (LRTT).
2. Writ petitioner assails an order dated November 21, 2024 passed in such Original Application by the learned Tribunal.

3. By the impugned order, learned Tribunal notices a report dated November 20, 2024 submitted by the Block Land and Land Reforms Officer claiming that, the record of rights stood corrected as prayed for by the original applicant.

4. Learned advocate appearing for the writ petitioner submits that, his client was not afforded any opportunity of hearing by the concerned Block Land and Land Reforms Officer prior to the purported correction of the record of rights.

5. Learned advocate appearing for the private respondent submits that, his client was also not heard by the concerned Block Land and Land Reforms Officer prior to the passing of the order purporting to correct the record of rights.

6. State is represented.

7. Records reveal that, the private respondent herein approached the Tribunal by way of an Original Application being O.A. 4000 of 2023 (LRTT) praying for a direction upon the concerned B.L. & L.R.O to consider and dispose of the application for correction of record of rights and restore the record of rights in its earlier position as it was before in respect of the concerned properties.

8. During the pendency of the Original Application, the concerned B.L. & L.R.O submitted a report dated November 20, 2024 detailing the steps taken and proceeded to state that, record of rights stood corrected.

9. As is submitted on behalf of the private parties before us, neither of them were given any notice of hearing or was heard by the concerned B.L. & L.R.O prior to correcting the record of rights in the manner as reported by the letter dated November 20, 2024.

10. Learned Tribunal, proceeded to notice the report dated November 20, 2024, by the impugned order, and disposed of the Original Application on the basis thereof.

11. With respect, learned Tribunal did not enter into the exercise as to the modality adopted by the concerned B.L. & L.R.O in arriving at a decision as recorded in report dated November 20, 2024. Ex facie the decision of the concerned B.L. & L.R.O is in breach of the principles of natural justice. He did not hear the affected parties prior to taking such decision.

12. In view of the discussion above, the order impugned dated November 21, 2024 of the learned Tribunal is set aside.

13. The decision of the concerned B.L. & L.R.O as recorded in the report dated November 20, 2024 is also set aside since it is in breach of the principles of natural justice.

14. Since, the private respondent before us require the concerned B.L. & L.R.O to consider and dispose of the application for correction of the record of rights and to restore the record of rights in its earlier position as it was before in respect of the concerned properties it would be appropriate to direct the concerned B.L. & L.R.O. to consider and decide the application of the private

respondent, made before it, in accordance with law. In so doing, concerned B.L. & L.R.O will afford a reasonable opportunity of hearing the writ petitioner before us as also to the private respondent. The concerned B.L. & L.R.O is at liberty to hear such other parties and consult such documents as it deems appropriate. It will pass a reasoned order which it will communicate to the parties forthwith thereafter. It is expected that, the entire exercise is concluded within a period of three months from date.

15. **W.P.L.R.T. 13 of 2025** is **disposed of** without any order as to costs.

(Debangsu Basak, J.)

16. I agree.

(Md. Shabbar Rashidi, J.)