

27.02.2025
Item No.19
PG/KS
Ct. No.1

W.P.A. (P) 42 of 2025
Ramaprasad Sengupta & Ors.
Versus
The State of West Bengal & Ors.

Mr. Dyutiman Banerjee

.....for the Petitioners

Mr. Sk. Md. Galib, Sr. Adv.

Ms. Priyamvada Singh

.....for the State

1. This writ petition has been filed to set aside the notice dated November 6, 2023. However, the said notice has fructified into an order passed by the prescribed authority under Section 51A(4) of the West Bengal Land Reforms Act, 1955 (for brevity, “the Act”).
2. Aggrieved by such order, the writ petitioners had filed an original application before the West Bengal Land Reforms Act and Tenancy Tribunal under Section 6 read with Section 10 of the State Land Reforms and Tenancy Tribunals Act, 1997. The said application is pending.
3. If such is the factual situation, at this juncture, we cannot test the correctness of the notice issued on November 6, 2023 nor the order dated November 30, 2023 passed by the prescribed authority.
4. Therefore, the learned Tribunal is at liberty to take up the application filed by the petitioners and proceed to take a decision on merits and in accordance with law.
5. With the aforesaid observations, writ petition stands disposed of.

6. The report submitted by the Assistant Director & Block Land & Land Reforms Officer, Murshidabad is kept on record.
7. It will be open to the petitioners to also seek for appropriate interim orders before the learned Tribunal.
8. The petitioners are at liberty to request the learned Tribunal for early hearing of the matter.
9. No costs.
10. Urgent photostat certified copy of this order, if applied for, be furnished to the parties expeditiously upon compliance of all legal formalities.

(T.S SIVAGNANAM)
CHIEF JUSTICE

(CHAITALI CHATTERJEE (DAS), J.)