

ML 177
10.03.2025
Court No.14
AGM

IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION

WPA 2669 of 2024

Md. Asafuzzaman Sarkar & Ors.
Vs.
The State of West Bengal & Ors.

Mr. Manojit Pal.
... for the Petitioners.

Mr. Biswabrata Basu Mallick. Ld. A.G.P.
Mr. Tamal Taru Panda.
... For the State.

Mr. Taharima Khatun.
... for the respondent nos. 16 and 17.

1. The petitioners are aggrieved by the illegal act of the respondent authorities in recording the names of the private respondents in the record of rights without following the due process of law.
2. Approach was made under the prescribed authority under Section 50 of the West Bengal Land Reforms Act, 1955 and the competent authority was of the opinion that recording has been made correctly.
3. A complaint was lodged before the police, the same is alleged to be kept pending. The petitioners pray for investigation.
4. It appears that steps were taken by the authority under the West Bengal Land Reforms Act, 1955. The same being a specified Act, any action taken thereunder is not open to challenge under Article 226 of the Constitution of India as a Court of first instance.
5. It will be open for the petitioners to approach the competent forum for correction of the records of rights in accordance with law, if so advised.
6. If the petitioners intend to proceed with their prayer for investigation, then it will be open for the

petitioners to avail the remedy under the appropriate criminal law.

7. The writ petition stands disposed of.

8. Urgent certified photocopy of this order, if applied for, be supplied to the parties expeditiously on compliance of usual legal formalities.

(Amrita Sinha, J.)