

01.05.2025
Item No.38
Ct. No.26
CHC

W.P.L.R.T. 13 of 2024

**Subrata Dutta
Vs.
The State of West Bengal & Ors.**

Mr. Dibyendu Chatterjee, Advocate
Mr. Rahul Deb Goenka, Advocate
Mr. Mainak Singha Barma, Advocate
Ms. Satabdi Das, Advocate
Ms. Annanya Chakraborty, Advocate
...for the writ petitioner

Mr. T. M. Siddiqui, Ld. A.G.P & Sr. Advocate
Mr. Supratim Dhar, Advocate
Ms. Debdooti Dutta, Advocate
...for the State

Mr. Mukteswar Maity, Advocate
...for the respondent nos.4 & 5

1. Affidavit-in-opposition filed in Court be taken on record.
2. Writ petition is directed against an order dated December 7, 2023, passed in M.A. 3561 of 2022 (LRTT).
3. By the impugned order, the learned Tribunal did not find any infirmity in the order passed by the Sub Divisional Officer, Kakdwip as also by the Appellate Authority with regard to the patta issued to the private respondents.
4. Claim of the writ petitioner is based on the grandfather of the writ petitioner being a bargadar.

5. It is admitted at the Bar that, land stood vested with the State. Vesting in our view is free from all incumbrances .
6. In such circumstances, land so vested with the State was distributed by way of patta to the private respondents.
7. Sub Divisional Officer, Appellate Authority as also the learned Tribunal found such fact.
8. Reliance is placed on a response given under the Right to Information Act, 2005. Such response, however, was subsequently stated to be incorrect.
9. Be that as it may, the first response under the Right to Information Act, 2005 speaks of no patta being given. Again as the land belongs to the State and the State can distribute such land by way of patta in accordance with law.
10. In such circumstances, we find no ground to interfere with the order impugned before us.
11. **W.P.L.R.T. 13 of 2024** is **dismissed** without any order as to costs.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)