

S/L 28
22.09.2025
Court. No. 19
Sourav

WPA 4847 of 2024

**Chandan Kumar Adak
Vs.
The State of West Bengal & Ors.**

*Mr. Dhiman Kumar Sengupta
Ms. Farhin Mustaque*

...for the petitioner.

1. The affidavit-of-service as filed on behalf of the writ petitioner is taken on record.
2. None appears on behalf of the respondent/State, despite service.
3. The subject matter of the instant writ petition is the order dated 25.08.2023 as passed by prescribed authority under Section 50 of the West Bengal Land Reforms Act, 1955 (hereinafter referred to as 'the said Act of 1955' in short). It reveals that by the impugned order, the said prescribed authority refused to grant mutation in favour of the writ petitioner as prayed for.
4. It appears to this Court that an order passed under Section 50 of the said Act is appealable under Section 54 of the self-same Act.
5. In view of the availability of the alternative efficacious statutory remedy and in absence of any material to show that the order under challenge has been passed by an authority which has got no jurisdiction to pass such order and/or such order has been passed violating the principles of natural justice, this Court is not inclined to exercise the high prerogative writ jurisdiction of this Court as prayed for.

6. With the aforementioned observations, the instant writ petition being **WPA 4847 of 2024** is dismissed.
7. There shall be, however, no order as to costs.
8. Before parting with, it is made clear that since the writ petitioner is pursuing his remedy in a wrong forum, this Court directs that in the event an appeal before the appropriate authority is filed challenging the order impugned in this writ petition within 45 working days from today, the said appellate authority would condone the delay in filing the said appeal, if there be any.
9. Urgent photostat certified copies of this order, if applied for, be supplied to the parties upon compliance with all the necessary formalities.

(Partha Sarathi Sen, J.)