

S/L 17
22.05.2025
Court. No. 19
Swayan

WPA 5358 of 2025

**Calcutta Reality Pvt. Ltd. & Anr.
Vs.
State of West Bengal & Ors.**

*Mr. Arabinda Chatterjee, Sr. Adv.
Mr. A. K. Gayen
Ms. A. A. Gayen*

...for the petitioners.

*Mr. Soumitra Bandyapadhyay
Ms. Sucheta Banerjee*

...for the State.

1. The report as submitted on behalf of the State and the exception to the report as submitted by the writ petitioners are taken on record.
2. At the time of hearing Mr. Chatterjee, learned Advocate appearing on behalf of the writ petitioners at the very outset draws attention of this Court to page no. 14 being a copy of the LR ROR in respect of several plots. Attention of this Court is also draws to page nos. 44 to 46 of the instant writ petition being a copy of the compliance order as submitted by jurisdictional BL&LRO.
3. It is submitted by Mr. Chatterjee that on comparative study of the copy of the LR ROR and copy of the compliance order it would reveal that there lies a discrepancy with regard to the exact area in respect of the relevant plots as retained by the writ petitioners.
4. It is submitted by Mr. Chatterjee that noticing such discrepancy the writ petitioners approached the jurisdictional BL&LRO that is the respondent no. 6

herein by submitting a representation dated 21.02.2025 through the writ petitioners' learned Advocate. It is submitted that despite receipt of such representation the respondent no. 6/authority has done nothing and practically sat tight over the matter. It is thus submitted by Mr. Chatterjee that appropriate relief/reliefs may be granted to the writ petitioners in terms of the prayers made in the instant writ petition.

5. Per contra, Mr. Bandyopadhyay, learned Senior Government Advocate appearing on behalf of the respondents/State and its functionaries submits before this Court that this Court lacks jurisdiction to entertain the instant writ petition in view of the provisions of West Bengal Land Reforms and Tenancy Tribunal Act, 1997 (hereinafter referred to as the said Act of 1997).
6. On careful consideration of the entire materials as placed before this Court and after hearing the learned Advocates for the contending parties this Court finds sufficient justification in the submission of Mr. Bandyopadhyay. Undoubtedly, under Section 2(r) of the said Act of 1997, West Bengal Land Reforms Act, 1955 (hereinafter referred to as the said Act of 1955) comes under the purview of 'specified Act'.
7. Section 6 of the said Act of 1997 further postulates that in the event a person is aggrieved on account of an inaction of an authority under specified Act, the tribunal as has been constituted under Section 4 of the said Act of 1997 shall have exclusive jurisdiction to

entertain the same under Section 6 of the said Act of 1997.

8. In view of such clear legislative mandate and in view of the fact that the grievance of the writ petitioners are against an authority under the said Act of 1955 which is a 'specified Act', this Court is constrained to hold that the instant writ petition is not maintainable.
9. Accordingly, the instant writ petition being WPA 5358 of 2025 is dismissed.
10. Before parting with, it is made clear that dismissal of the instant writ petition will not debar the instant writ petition to approach the tribunal as constituted under Section 4 of the said Act of 1997 on the self-same cause of action, if so advised.
11. There shall be, however, no order as to costs.
12. Urgent Xerox certified copy of this order, if applied for, be given to the parties upon compliance of all necessary formalities.

(Partha Sarathi Sen, J.)