

Dd 94 22.04.2025
(ML)

WPLRT/43/2025
DILIP KUMAR BERA AND ANR.
VS
STATE OF WEST BENGAL AND ORS.

...

Mr. Debabrata Sardar, Advocate
... .. For the Appellant

Sk. Md. Galib, sr. Govt. Adv.
Ms. Priyamvada Singh, Advocate
.. ...For the State

Ms. Juin Dutta Chakraborty,
Mr. Didan Modak,
Ms. Aspita Kundu, Advocates
.. ...For the respondent nos. 5 & 6

1. Affidavit-of-service filed in Court be taken on record.
2. Petitioners, State and the private respondent nos. 5 and 6 are represented.
3. Petitioners assail an order dated October 4, 2024 passed by the West Bengal Land Reforms and Tenancy Tribunal in OA 243 of 2024 (LRTT).
4. By the impugned order, learned tribunal found the original application to be not maintainable on the ground that the representation made by the petitioners before the concerned Block Land & Land Reforms Officer were not addressed to all the affected parties.
5. Learned advocate appearing for the petitioners submits that all the persons interested in the plot of land concerned were made parties in the original application and are parties in the present writ petition.
6. Petitioners apparently approached the concerned Block Land & Land Reforms Officer for the purpose

of correction of the Record of Rights. Such application for correction of Record of Rights not being proceeded with, petitioners approached the learned tribunal by way of OA 243 of 2024 (LRTT) which was dismissed as not maintainable by the order dated October 4, 2024.

7. The request for correction of Record of Rights should not be negated on the plea that, all the interested parties were not informed.
8. In the facts of the present case, it would be appropriate to direct the concerned Block Land and Land Reforms Officer to consider OA 243 of 2024 (LRTT) as a representation and to decide on the same, in accordance with law, after affording a reasonable opportunity of hearing to the interested parties. Needless to say that concerned Block Land & Land Reforms Officer is at liberty to consult such documents and hear such other parties that he may deem fit and proper. He will pass a reasoned order which with communication to the parties he heard forthwith thereafter.
9. It is expected that the concerned Block Land & Land Reforms Officer dispose of the representation within four months from the date of communication of this order to him.
10. In view of such direction, the impugned order dated October 4, 2024 passed OA 243 of 2024 (LRTT) is set aside.
11. WPLRT/43/2025 is **disposed of** accordingly.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)