

28.10.2025
Sl. No. 23.
Ct.No.42
ss

**IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION
APPELLATE SIDE**

W.P.A. 8728 of 2024

**Alok Kumar Dey
Vs.
The State of West Bengal & Ors.**

Mr. Manoranjan Jana
Ms. Mitali Jana
... for the petitioner

Mr. Dwarika Nath Mukherjee
Mr. Aviroop Bhattacharya
... for the State

1. This writ petition is filed seeking for a direction upon the respondent authorities particularly, respondent nos.5 to 9 to restrain themselves to use and/or utilize, occupy and/or possess any part of the land which is subject matter in L.R. Appeal No.71(T) of 2020 pending before District Land and Land Reforms Officer, Tamluk till the final order or decision is made in the said appeal and to remove forthwith all the materials therefrom.
2. Petitioner contends that the case plots of land specifically under plot Nos.261, 262, 263, 264 measuring about 0.67 decimals within Mouza Dublabari, J.L. No.240, Block No.1 Ramnagar and plot No.50 measuring an area of 2.77 decimals under Mouza Deuli, J.L. No.248 under Block Land and Land Reforms Officer, Ramnagar-II are *raiyyati* lands by

virtue of Partition Deed No.53 of 1954. The Block Land and Land Reforms Officer, Ramnagar-II started a proceeding under Section 14(T) of the West Bengal Land Reforms Act, 1955 and passed an order on 11th June, 2014 declaring the aforesaid land to be vested land. The petitioner challenged the validity and legality of the aforesaid order passed by the Block Land and Land Reforms Officer before the West Bengal Land and Land Reforms and Tenancy Tribunal at Kolkata on 24th November, 2010. Thereafter, again a final order was passed by the Block Land and Land Reforms Officer on 2nd July, 2014. The petitioner filed an application before the learned West Bengal Land and Land Reforms and Tenancy Tribunal, Kolkata wherein vide order dated 12th December, 2019 the petitioner was given liberty to prefer appeal against such final order, being MA 754 of 2011 (OA-2019 of 2010) before the District Land and Land Reforms Officer, Tamluk, Purba Medinipur. Accordingly, the petitioner preferred an appeal being L.R. Appeal No.71(T) of 2020 before the District Land and Land Reforms Officer, Tamluk which is still pending. The petitioner has also filed an application for stay before the District Land and Land Reforms Officer in the said appeal. The stay application has also not been disposed of.

3. In such circumstances, it is found that the issues raised in the writ petition are pending in L.R. Appeal before the District Land and Land Reforms Officer, Tamluk. Hence, the writ petition falls short of merit.
4. Accordingly, the writ petition being **WPA 8728 of 2024** stands dismissed.
5. However, it is left open to the petitioner to pursue the appeal before the District Land and Land Reforms Officer, Tamluk, if so advised.
6. All connected applications, if any, stand dismissed.
7. Interim order, if any, stands vacated.
8. There shall be no order as to costs.
9. Urgent photostat certified copy of the order, if applied for, be given to the parties on compliance of all necessary legal formalities.

(Bivas Pattanayak, J.)