

S/L 4
03.07.2025
Court. No. 19
Suwayan

WPA 8915 of 2024

**Smt. Paramita Ghosh
Vs.
State of West Bengal & Ors.**

Mr. Anirban Majumder

...for the petitioner.

*Mr. Chandi Charan De, AGP
Mr. Anirban Sarkar*

...for the State.

1. The affidavit-of-service as filed on behalf of the writ petitioner is taken on record.
2. The writ petitioner and the respondents/State are represented by their respective learned advocates.
3. It is the grievance of the writ petitioner that though the writ petitioner became the owner of the land particulars of which has been mentioned in paragraph no. 6 of the instant writ petition by virtue of a registered deed of purchase dated 21.05.2014, however, despite submission of application for mutation with the jurisdictional BL&LRO who is the respondent no. 5 herein mutation has not yet been effected.
4. It is submitted on behalf of the writ petitioner that an appropriate writ/writs may be issued against the respondent no. 5/authority to consider the mutation application as filed by the writ petitioner in accordance with law.
5. Mr. De, learned AGP appearing for the respondents/State submits before this Court that in view of the provision of Section 2 (r) read with Section

6 (b) of the West Bengal Land Reforms and Tenancy Tribunal Act, 1997 (hereinafter referred to as the 'said Act of 1997') such relief cannot be granted by this Court since the same is within the jurisdiction of the tribunal as constituted under Section 4 of the said Act of 1997.

6. On careful perusal of the entire materials as placed before this Court and after hearing the learned Advocates for the contending parties it appears to this Court that the writ petitioner approached before this Court complaining inaction and/or culpable negligence on the part of the respondent no. 5/authority for not effecting mutation as per the provisions of the West Bengal Land Reforms Act, 1955 which is admittedly as specified Act under Section 2 (r) of the said Act of 1997.
7. As rightly pointed out by Mr. De that Section 6 of the said Act of 1997 clearly mandates that an application complaining inaction and/or culpable negligence of an authority under a specified Act comes under the jurisdiction of the tribunal as constituted under Section 4 of the said Act of 1997.
8. This Court thus finds sufficient merit in the submission of Mr. De.
9. This Court is thus of considered view that the relief as prayed for by the writ petitioner cannot be granted by this Court in view of lack of jurisdiction in view of the settled position of law as discussed supra.
10. With the aforementioned observation, the instant writ petition being WPA 8915 of 2024 is dismissed.

11. Before parting with, it is, however, made clear that this Court while disposing the instant writ petition has not gone into the merit of the application for mutation as has been submitted by the writ petitioner with the respondent no. 5/authority.
12. There shall be, however, no order as to costs.
13. 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.)