

17
23.04.2025
S.D.
Ct. No. 26

W.P.L.R.T. 51 of 2025

Smt. Mahua Agarwala (Mondal)
Vs.
The State of West Bengal & Ors.

Mr. Ambu Bindu Chakraborty
Ms. Mrinmoyee Roy Chowdhury
...For the petitioner

Mr. Balai Lal Sahoo
Mr. Rudranil De
Mr. Amit Bikram Mahata
..For the Respondent No. 4

Mr. T.M. Siddiqui, A.G.P.,
Mr. Debjyoti Dutta
Mr. Suddhadev Adak
....For the State

Writ petition is directed against an order dated
March 13, 2025 passed in M.A. 1577 of 2024 in O.A. No.
2978 of 2024 (LRTT).

By the impugned order, learned Tribunal invoked
provision of Section 10(3)(b) of the West Bengal Land
Reforms and Tenancy Tribunal Act to admit the original
application and returned a finding that notwithstanding
the availability of statutory alternative remedy and that
the original application not exercising such alternative
remedy available, in view of the long pendency of the

matter and the nature of the issues involved, the original application needs to be considered on merit.

Learned advocate appearing for the writ petitioner submits that there are proceedings pending both at the level of the Block Land & Land Reforms Officer as also the appellate authority and, therefore, the learned Tribunal erred in admitting the original application.

In the facts and circumstances of the present case, we are not in a position to concur with the view of the learned advocate for the writ petitioner. Learned Tribunal exercised discretion in admitting the original application giving cogent reasons for the same.

We do not find any material infirmity in the order impugned warranting our interference. We hasten to add that neither the order of the learned Tribunal impugned herein nor any observation made by us will be construed to infringe upon any of the rights of the parties on merits.

W.P.L.R.T. 51 of 2025 is disposed of without any order as to costs.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)