

Dd 22 14.05.2025

**WPLRT/59/2025
SAMBHU ROY AND ORS.
VS
THE STATE OF WEST BENGAL AND ORS.**

Mr. Rwitendra Banerjee,
Mr. Shibasis Chatterjee, Advocates
... .. For the Petitioners

Mr. Chittapriya Ghosh,
Mr. Gourab Ghosh, Advocates
... .. For the private respondent nos. 6 to 9

Mr. Sk. Md. Galib, Sr. Govt. Adv.
Mr. Alok Banerjee, Advocate
.. ...For the State

1. Writ petition is directed against order dated January 3, 2025 passed in OA 2407 of 2019 (LRTT) by the West Bengal Land Reforms and Tenancy Tribunal.
2. Learned advocate appearing for the writ petitioners in his usual fairness submits that, one of the private respondents in the original application expired prior to the date of delivery of the impugned order. He submits that, date of death was not known to the writ petitioners prior to the filing of the writ petition herein. It is only during the course of hearing of the writ petition that the writ petitioners came to learn of such death. However, writ petitioners are unable to specify the date of death of such private respondent.
3. State and the private respondent nos. 6 to 9 are represented.
4. Learned advocate appearing for the respondent nos. 6 to 9 submits that respondent no. 5 expired prior

to the delivery of the impugned order by the learned tribunal.

5. Apparently, the private parties were not aware of the death of the respondent no. 5 till today.
6. In such circumstances, it would be appropriate to set aside the impugned order dated January 3, 2025 since it was passed against a person who expired prior to the delivery of such order.
7. OA 2407 of 2019 of LRTT is remanded to the learned tribunal for fresh consideration on substitution of the deceased respondent no. 5 herein.
8. WPLRT/59/2025 is **disposed of** accordingly without any order as to costs.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)