

N.22Sl
151/CL

WPA 11706 of 2025

Daulat Ara Faroque & Ors.

-vs-

The State of West Bengal & Ors.

11.09.2025
SL-12
Ct.19
(S.R.)

Mr. Jayanta Sengupta
Mr. Bidish Ghosh
Mr. A. Bhar

... for the petitioners.

Mr. Sk. Md. Galib
Mr. SM Samim Ullah

... for the State.

1. The subject matter of the instant writ petition is the inaction on the part of the respondent no.2/authority to carry out the rectification of the LR record in favour of the writ petitioners in respect of the land, particulars of which have been mentioned in paragraph 3 of the instant writ petition.
2. As rightly pointed by Mr. Galib, learned advocate appearing for the respondent/State that at present correction of LR record of rights is being done as per the provisions of the West Bengal Land Reforms Act, 1955 (hereinafter referred to as the 'said Act of 1955', in short), which is a specified Act under Section 2(r) of the West Bengal Land Reforms and Tenancy Tribunal Act, 1997 (hereinafter referred to as the 'said Act of 1997', in short).
3. Section 4 of the said Act of 1997 postulates establishment and composition of the Tenancy Tribunal and Section 6(b) of the said Act of 1997 deals with the jurisdiction of the Tribunal regarding an

- application complaining inaction and/or culpable negligence of an authority under the specified Act.
4. Since by filing the instant writ petition, the writ petitioners has alleged inaction and/or culpable negligence of the respondent no.2/authority under the said Act of 1956, which is a specified Act under Section 2(r) of the said Act of 1997, this Court is constrained to hold that the instant writ petition being WPA 11706 of 2025 is not maintainable before this Court.
 5. With the aforementioned observations, WPA 11706 of 2025 is dismissed.
 6. Since the writ petitioners are pursuing his remedy before a wrong forum, this Court directs that, in the event, an application is filed by the petitioners before the West Bengal Land Reforms and Tenancy Tribunal on the self-same cause of action within 90 working days from today, the said Tribunal will not consider such application as barred under the law of limitation.
 7. There shall, however, be no order as to costs.
 8. Urgent photostat certified copies of this order, if applied for, be supplied to the parties upon compliance with all the necessary formalities.

(Partha Sarathi Sen, J.)