

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

Present:

The Hon'ble Justice Debangsu Basak

And

The Hon'ble Justice Md. Shabbar Rashidi

WPLRT 99 of 2025

Abdul Kaji Mondal & Ors.

Vs.

The State of West Bengal & Ors.

For the Petitioners : Md. Salahuddin, Advocate
Md. Raziuddin, Advocate

For the State respondents : Mr. Sk. Md. Galib, Ld. Sr. Govt. Advocate
Ms. Sujata Mukherjee, Advocate

For the Respondent no.7 : Mr. Surya Prasad Chattopadhyay, Advocate
Mr. Arjun Samanta, Advocate
Mr. Ankit Chatterjee, Advocate
Ms. Trishtrya Mancherji, Advocate

Hearing & Judgment on : July 16, 2025

DEBANGSU BASAK, J.:-

1. Writ petition is directed against the order dated January 30, 2025 passed by the West Bengal Land Reforms and Tenancy Tribunal in O.A. No.892 of 2024 (LRTT).
2. By the impugned order, the learned Tribunal found, on perusal of all documents of records and considering the rival contentions of the parties, the writ petitioners did not make out any case for grant of relief. Learned Tribunal found that, the original application was devoid of any merit and, therefore, rejected the same.

3. Learned Advocate appearing for the writ petitioners submits that, the writ petitioners are heirs and legal representatives of the deceased raiyat in whose favour the land stood recorded in the record of rights. He submits that, the private respondents claimed to purchase the immovable property concerned from the original raiyat in 1965. He submits that, all of the writ petitioners are in possession at all material points of time either through their predecessors-in-interest or by themselves. The concerned Block Land & Land Reforms Officer, therefore, cannot proceed to give possession of the land in question in favour of the private respondents.
4. Learned Advocate appearing for the private respondents submits that, there is a civil suit pending between the private parties. He also submits that, the writ petitioners are the plaintiffs in such civil suit being Title Suit No.6 of 2024. Such civil suit is pending before the 2nd Civil Judge (Junior Division) at Krishnagar, Nadia. The writ petitioners failed to obtain any interim relief therein.
5. Learned Advocate appearing for the private respondents submits that, the writ petitioners did not approach the concerned Block Land & Land Reforms Officer and that, they approached the learned Tribunal directly. He submits that, there is no cause of action for the writ petitioners to approach the Tribunal.

6. It is also submitted on behalf of the private respondents that, the khatian involved stands recorded in the name of the private respondents.
7. In response, it is submitted on behalf of the writ petitioners that, there is an order of *status quo* subsisting in the civil suit.
8. In response to a query of the Court, learned Advocate appearing for the writ petitioners submits that, the factum of the order of *status quo* is not pleaded in the writ petition. Copy of the order of *status quo* is also not made over to the Court despite our request.
9. There is a civil suit pending between the private parties with regard to the title to the immovable property concerned. Writ petitioners did not approach the concerned Block Land & Land Reforms Officer for any relief. Writ petitioners approached the Tribunal directly.
10. In such circumstances, since there are civil disputes involved between the private parties, learned Tribunal rightly refused to entertain the original application. We see no infirmity in the order impugned before us warranting an interference under Article 226 of the Constitution of India.
11. **WPLRT 99 of 2025 is dismissed** without any order as to costs.

(Debangsu Basak, J.)

12. I agree.

(AD)

(Md. Shabbar Rashidi, J.)