

09.07.2025
Item No.33
Ct. No.26
CHC
(disposed of)

W.P.L.R.T. 105 of 2025

**Ranjit Hazra & Ors.
Vs.
The State of West Bengal & Ors.**

Mr. Sujit Kumar Rath, Advocate
Mrs. Joyee Maity, Advocate
...for the petitioners

1. Writ petition is directed against the order dated April 24, 2025 passed by the West Bengal Land Reforms and Tenancy Tribunal in O.A. No. 1785 of 2020 (LRTT).
2. By the impugned order, learned Tribunal found that, the order assailed before the Tribunal was appealable under Section 54 of the West Bengal Land Reforms Act, 1955. Learned Tribunal found that, the Original Application did not contain any averment to the effect that, the original applicant was within the exemptions provided under the West Bengal Land Reforms and Tenancy Tribunal Act, 1997 for waiver of the exhaustion of the other remedies available by statute. In such circumstances, learned Tribunal was pleased not to admit the Original Application.

3. Learned advocate appearing for the writ petitioners submits that, order of vesting was assailed in a writ petition before the High Court and the same was set aside. He submits that, on the strength of such order of the High Court his clients applied before concerned Block Land and Land Reforms Officer who declined to act in terms of the order of the High Court. In such circumstances, the writ petitioners approached the Tribunal.
4. The writ petitioners did not exhaust their statutory remedies as available to them under the Act of 1955. The order of the concerned Block Land and Land Reforms Officer is appealable under Section 54 of the Act of 1955. We do not find from the facts and circumstances of the present case that, there exist any special circumstance for the writ petitioners to approach the Tribunal directly without exhausting statutory alternative remedy available to them.
5. In such circumstances, we are not minded to interfere with the impugned order of learned Tribunal.
6. We, however, allow the writ petitioners before us to apply under Section 54 of the Act of 1955 assailing the order of the concerned Block Land and Land Reforms Officer. In the event, such appeal is filed within four weeks from date, the concerned appellate authority will treat the appeal to be within time for

preferring the appeal and proceed to dispose of the appeal on merits.

7. **W.P.L.R.T. 105 of 2025** is **disposed of** accordingly.

(Debangsu Basak, J.)

(Prasenjit Biswas, J.)