

WPA 15698 of 2025

Ashish Mahanty & Ors.

-vs-

The State of West Bengal & Ors.

24.10.2025
SL-24
Ct.19
(S.R.)

Mr. Aditya Sen

... for the petitioners.

1. The affidavit-of-service as filed today on behalf of the writ petitioners is taken on record.
2. None appears on behalf of the respondent/State and its instrumentalities despite service.
3. On perusal of the entire materials as placed before this Court, it reveals that the writ petitioners are aggrieved regarding inaction on the part of the respondent no.2/authority for not hearing the appeal as preferred by the writ petitioners impugning the order passed by the jurisdictional BL&LRO in a proceeding under the provisions of the West Bengal Land Reforms Act, 1955.
4. At this juncture, if I look to the provisions of 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), it appears that the West Bengal Land Reforms Act, 1955 comes under the purview of Specified Act. It further reveals that an application complaining inaction was culpable negligence of an authority under the Specified Act comes under the jurisdiction, power and authority of the Tribunal as

constituted under Section 4 of the said Act as per provisions of Section 6 of the said Act.

5. In view of such legal position, this Court has got no other alternative but to hold that the instant writ petition is not maintainable.
6. With the aforementioned observations, the instant writ petition being **WPA 15698 of 2025** is dismissed.
7. Before parting with, it is, however, made clear that since the writ petitioners are perusing their remedy before a wrong forum, this Court while disposing the instant writ petition grants liberty to approach the appropriate authority in appeal, if so advised, on the self-same cause of action and, in the event, such appeal is filed within 30 working days from today, the appellate authority/appropriate authority shall consider such appeal within the period of limitation.
8. There shall, however, no order as to costs.
9. 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.)