

10.09.2025.
Item No. 2.
Court No. 13
ap

W.P.L.R.T. 33 of 2025
Tapas Dutta
Versus
The State of West Bengal & Anr.
With
R.V.W. 211 of 2025
Tapas Dutta
Versus
The State of West Bengal & Anr.

Mrs. Ajeya Mitra.

...For the applicant.

Mr. Suddhadev Adak,
Ms. Richa Pramanik.

...For the State.

1. Affidavit-of-service filed in Court today be taken on record.
2. Review is sought of this Court's order 9th June, 2025 based on a judgment of a Co-ordinate Bench of this Court in the case of **Subhas Chandra Banik & Ors. – Vs. – State of West Bengal & Ors.** reported in **AIR 2011 Cal 125** wherein it is stated that since mutation has got nothing to do with the proceedings under Section 14(t)(6) of the West Bengal Land Reforms Act, 1955, the Court ought to have directed mutation to be effected. There is some doubt as to whether the same was the ground in the Memorandum of Appeal.
3. Be that as it may, it appears that in the instant case, the Revenue Officer has remanded the matter back to the concerned Block Land & Land Reforms Officer for a decision under Section 14(t)(6) of the Act of 1955.

4. The said case of ***Subhas Chandra Banik & Ors. (supra)*** is, therefore, distinguishable on facts. The petitioner appears to be over enthusiastic to obtain mutation without any decision on whether and to what extent the land in question has been vested in the State.

5. In any event, a decision of another Court not even cited at the time when the main proceeding was heard, cannot be a ground for review.

6. In those circumstances, R.V.W. 211 of 2025 shall stand dismissed.

7. There will be no order as to costs.

8. All parties are directed to act on a server copy of this order duly downloaded from the official website of this Court.

(Rajasekhar Mantha, J.)

(Ajay Kumar Gupta, J.)