

01.05.2025
Item No.39
Ct. No.26
CHC
(dismissed)

W.P.L.R.T. 104 of 2024

**Sri Amalesh Chanda & Anr.
Vs.
The State of West Bengal & Ors.**

Mr. Amitava Chaudhuri, Advocate
Mr. N. Roy, Advocate
Ms. D. Banu, Advocate
Mr. Arka Mondal, Advocate
Mr. Pradipta Siddhanta, Advocate
Mr. Siddhartha Ghosh, Advocate
...for the writ petitioners

Mr. Ayan Banerjee, Advocate
Mr. Amrit Lal Chatterjee, Advocate
...for the State

Mr. Amales Ray, Sr. Advocate
Ms. Mousumi Bhowal, Advocate
Mr. Aman Gupta, Advocate
Mr. Ishan Bhattacharya, Advocate
...for the respondent no.4

1. Writ Petition is directed against an order dated July 31, 2023, passed by the West Bengal Land Reforms and Tenancy Tribunal in O.A. 2854 of 2015 (LRTT).
2. By the impugned order, learned Tribunal, after hearing the parties at length concluded the hearing and reserved judgment.
3. Subsequent to the order dated July 31, 2023, learned Tribunal passed an order dated August 17, 2023 on merits.
4. Order dated August 17, 2023 passed by the learned Tribunal dismissing the Original Application being O.A. 2854 of 2015 (LRTT) by directing the concerned

B.L. & L.R.O. to mutate the name of the original applicant in respect of .12 acres of L.R. Plot No.3326 and .20 acres of L.R. Plot No.3324 is not challenged by the writ petitioners.

5. It is the contention of the writ petitioners that, although the writ petitioners were represented on every dates of hearing before the learned Tribunal only on July 31, 2023, the writ petitioners were unrepresented. Therefore, an opportunity of hearing should be afforded to the writ petitioners.
6. Ordinarily, such a request would be considered as innocuous and readily accepted. However, in the facts of the present case, we find that, learned Tribunal reserved judgment on July 31, 2023. It was within the notice and knowledge of the writ petitioners that, the learned Tribunal reserved judgment on July 31, 2023. Tribunal proceeded to pass a reasoned order on the merits on August 17, 2023. As noted above, no challenge is leveled to the order dated August 17, 2023 disposing of the Original Application on merits.
7. Writ petition was affirmed on July 18, 2024 limiting itself to the challenge to the order dated July 31, 2023.
8. Writ petitioners, therefore, waited at the fence from July 31, 2023 till the delivery of the order of the learned Tribunal on merits on August 17, 2023 to

find out the results of the proceedings. Thereafter, it waited for another eight months to file the writ petition only to challenge the order dated July 31, 2023.

9. That apart, we find no merits in the present writ petition warranting interference by us.
10. **W.P.L.R.T. 104 of 2024** is **dismissed** without any order as to costs.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)