

03.09.2025
Item No.5
Ct. No.35
dc.

W.P.A. 19276 of 2025

**Subrata Chanda & Ors.
versus
The State of West Bengal & Ors.**

Mr. Bhaskar Chandra Manna ... For the Petitioners.

Ms. Amrita Panja Moulick ... For the State.

Mr. Gouranga Kumar Das,
Ms. Poulami Dutta ... For the Respondent No.7.

Affidavit-of-service filed in Court today be kept with the record.

Report submitted by the learned advocate appearing for the State be also kept with the record.

Petitioners have approached this Court with prayers for cultivation and harvesting paddy in respect of the land referred to in the writ petition. Petitioners claim themselves to be sharecroppers or bargadars.

Records reflect that earlier writ petition was preferred before this Court. By an order dated 07.10.2024 in WPA 21722 of 2024, a coordinate Bench of this Hon'ble Court was specific in observing that writ court cannot decide on the issue as to whether the private respondent is the 'bargadar' or as to whether the petitioner or the private respondent is in possession of the agricultural land and there were directions relating to maintaining breach of the peace.

Learned advocate appearing for the private respondent no.7 has handed over an order dated

09.04.2025 passed by West Bengal Land Reforms and Tenancy Tribunal wherein I find that the application before the said Tribunal has been dismissed for default.

State has submitted a report which reflects that earlier there were criminal cases which were registered. A long standing land dispute is pending between the petitioners and the private respondent.

Earlier there were directions passed by this Hon'ble Court. So far as the right of the petitioner is concerned, it has been made clear that the same cannot be decided by a writ court. There has been no change of circumstances.

In view of the aforesaid repeated writ petitions being preferred are not warranted.

Thus, the writ petition being WPA 19276 of 2025 is dismissed.

There will be no order as to costs.

All concerned parties shall act on the server copy of this order duly downloaded from the official *website* of this Court.

Urgent photostat certified copy of this order, if applied for, be supplied to the parties upon compliance with all requisite formalities.

(Tirthankar Ghosh, J.)