

AD -6
Ct No.10
08.09.2025
(SSS)

W.P.L.R.T. 149 of 2025

Tushar Kanti Mishra Adhikary @ Tushar Kanti Mishra
Vs.
The State of West Bengal and Ors.

Mr. Siddhartha Sarkar
...for the appellant.

Sk. Md. Galib, Ld. Snr. Govt. Adv.,
Ms. Munmun Ganguly
.....for the State respondents.

1. Affidavit of service filed today be kept on record.
2. Heard both sides. It is submitted on behalf of the petitioner that the father of the petitioner, on behalf of himself and the petitioner (who was then a minor), purchased certain properties. Subsequently, the said properties were declared to have vested in the State under the West Bengal Estates Acquisition Act, 1953.
3. Two suits were filed by the petitioner's father challenging the said vesting. The suits were decreed. Thereafter, the petitioner approached the appropriate authority for correction of the Records of Rights in the name of the petitioner and his father.

4. However, no action having been taken thereon, the petitioner approached the West Bengal Land Reforms and Tenancy Tribunal.

5. Learned counsel for the petitioner submits that while entertaining the application, no interim order was passed restraining the respondents from taking over possession in respect of the plots concerned.

6. Learned Senior Government Advocate rightly points out that in the original application filed before the Tribunal, no such interim order was prayed for. Thus, there arose no occasion for the Tribunal to either grant or reject such non-existent relief.

7. As such, we do not find any merit in the present challenge. However, the petitioner will be at liberty to make appropriate application praying for interim orders before the Tribunal and, if so made, the Tribunal shall decide the same at the earliest, upon giving opportunity of hearing to both sides, in accordance with law and without being prejudiced by the present disposal.

8. W.P.L.R.T No. 149 of 2025 is, thus, disposed of on contest in the light of the above observations.

9. There will be no order as to costs.

10. It is expected that the matter shall be disposed of as expeditiously as possible by the Tribunal.

(Sabyasachi Bhattacharyya, J.)

(Uday Kumar, J.)