

D/L.6.
September 15, 2025.
MNS.

WPLRT No. 148 of 2025

Debendra Nath Halder and another
Vs.
The State of West Bengal and others

Mr. Bhabes Chandra Biswas

... for the petitioners.

Sk. Md. Galib, Ld. Sr. Govt. Adv.,
Ms. Munmun Ganguly

...for the State.

Mr. Ziaul Haque,
Ms. Paulomi Ghosh

...for the respondent nos. 6 to 9.

1. The affidavit-of-service filed in Court today be kept on record.
2. Learned counsel for the petitioners submits that the petitioners made a representation before the concerned District Land and Land Reforms Officer (DL & LRO) for correction of the records of rights. Subsequent thereto, a report was filed by the Block Land and Land Reforms Officer (BL&LRO) in connection with the matter. Despite such report, the DL & LRO did not take any action on the writ petitioners' representation, for which an Original Application was filed before the West Bengal Land Reforms and Tenancy Tribunal for a direction on the DL & LRO to dispose of the matter early.

3. The said application was dismissed by the Tribunal on the ground that it was devoid of any merit since it appeared to the Tribunal that the representation was not addressed to the BL & LRO and/or the proper parties were not impleaded.
4. Learned Senior Government Advocate appearing for the State submits, by placing reliance on a report filed in Court (which is kept on record), that the Original Application was filed due to inaction on the part of the DL & LRO whereas the DL & LRO is the appellate authority under the West Bengal Land Reforms Act, 1955 (in short "1955 Act") and not the original authority.
5. Learned counsel appearing for the private respondents submits that the representation of the writ petitioners, which is annexed at page 40 of the present writ petition, was filed before the DL & LRO, which does not disclose any details whatsoever and/ or the necessary parties.
6. Upon hearing learned counsel for the parties, we find that the purported report of the BL & LRO to the learned Government Representative, West Bengal Land Reforms and Tenancy Tribunal, was merely in the form of a communication as to the status of the matter. However, since it was addressed to the Tribunal itself, it cannot be construed as a report in connection with any proceeding for correction of records of rights.

7. In any event, the DL & LRO, under the 1955 Act, is the Appellate Authority and the representation of the writ petitioners, even if the same is treated to be an application for correction of records of rights, was not maintainable before the DL & LRO, but had to be presented before the BL & LRO, who is the Revenue Officer empowered to correct/alter records of rights under the 1955 Act.
8. Hence, we do not find any error in the order dated July 2, 2025 passed by the West Bengal Land Reforms and Tenancy Tribunal in OA No. 672 of 2017 (LRT), where it was held that the representation was not filed before the BL & LRO and as such the original application was devoid of any merit.
9. Accordingly, WPLRT No. 148 of 2025 is dismissed on contest.
10. However, nothing in the above order or the impugned order of the tribunal shall preclude the writ petitioners from filing a proper application/representation before the concerned BL & LRO (Revenue Officer) seeking correction of the records of rights, upon disclosing the full particulars in such regard.
11. If such an application/representation is filed, the BL & LRO shall decide the same, upon giving adequate opportunity of hearing to all interested persons, in accordance with law without being

prejudiced in any manner or by any of the dismissals either before this Court or before the Tribunal.

12. There will be no order as to costs.

(Uday Kumar, J.)

(Sabyasachi Bhattacharyya, J.)