

D/L.10.
October 28, 2025.
MNS.

WPLRT No. 158 of 2025

Provat Kumar Sanyal and others
Vs.
The State of West Bengal and others

Mr. Abhijit Chatterjee,
Mr. Kalidas Saha,
Ms. Khushi Mollick,
Ms. Pramita Naskar

... for the petitioners.

Sk. Md. Galib, Sr. Govt. Adv.,
Mr. Manish Biswas

...for the State.

1. Learned counsel for the petitioners submits that the West Bengal Land Reforms and Tenancy Tribunal acted without jurisdiction in dismissing the appeal of the petitioners against an order whereby the appellate authority under Section 54 of the West Bengal Land Reforms Act, 1955 (in short “the 1955 Act”) kept in abeyance an appeal preferred by the petitioners against an order whereby the Block Land & Land Reforms Officer (BL&LRO) dismissed the petitioners’ application for correction of records of rights.
2. The petitioners claim that the petitioners became the owners of the property-in-dispute by virtue of a Will executed by their predecessor-in-interest. The said predecessor-in-interest, according to the petitioners, came in exclusive possession of the

property and became the owner of the property upon his co-owners having transferred their shares in favour of the said predecessor-in-interest.

3. The BL&LRO, while deciding the matter, disallowed the application for correction of records of rights in view of the fact that the land-in-question is sub judice and three civil suits are pending between the private respondents and the present petitioners.
4. The appellate authority, that is, the District Land & Land Reforms Officer (DL&LRO), while hearing the appeal against such dismissal, by an order dated December 14, 2022, kept the appeal in abeyance until disposal of the pending title suits, bearing Title Suit No. 85 of 2021, Title Suit No. 88 of 2022 and Title Suit No. 50 of 2022.
5. The Tribunal dismissed the challenge against the same by observing that the appellate authority was justified in keeping the appeal in abeyance.
6. Upon hearing learned counsel for the appearing parties, we find that the appellate authority was justified in keeping the appeal in abeyance till disposal of the pending suits.
7. The petitioners, in the proceeding before the BL&LRO, raised disputed questions of title and urged fraud, which questions can only be decided by a competent civil court upon taking detailed evidence and cannot be decided by the BL&LRO.

8. As such, the DL&LRO did not have any other option but to wait for the disposal of the pending civil suits, which are already pending before the competent civil court, before deciding the appeal either way.
9. Hence, we do not find any reason to interfere with the impugned order of the Tribunal whereby the appellate authority's order was sustained.
10. Accordingly, WPLRT No. 158 of 2025 is dismissed on contest.
11. However, we make it clear that we have not entered into the merits of the respective contentions of the parties in the suits and it will be open to the parties to urge the points involved in the suits pending before the competent civil court independently of the present adjudication.
12. After disposal of the suits and subject to the outcome thereof, the parties will be at liberty to revive the appeal before the appellate authority, that is, the DL&LRO, Nadia.
13. There will be no order as to costs.

(Uday Kumar, J.)

(Sabyasachi Bhattacharyya, J.)