

D/L. 22.
November 10, 2025.
MNS.

WPLRT No. 176 of 2025

Lokmam Ali and others
Vs.
Ram Chandra Das and others

Mr. Tapas Kumar Adhikari,
Mr. Abhijit Ghosh

... for the petitioners.

Mr. Partha Sarathi Bhattacharyya, Sr. Adv.,
Mr. Arunava Maiti

...for the respondent no. 1.

Mr. Chandi Charan De, AGP,
Mr. Bibekjyoti Basu

...for the State.

1. Learned counsel for the petitioners argues that despite the petitioners being equipped with title deeds in favour of the petitioners, the West Bengal Land Reforms and Tenancy Tribunal, by the impugned order, remanded the matter to the appellate authority, that is, the District Land and Land Reforms Officer, for a fresh adjudication on the issue of recording of names of the petitioners in respect of the plots-in-dispute.
2. Learned senior counsel appearing for the private respondent no. 1 submits that the private respondent produced the relevant documents before the Tribunal, which prompted the remand order.
3. Learned Additional Government Pleader appearing for the State submits that in all fairness there is no clear adjudication by the appellate authority, nor were the records of

the Block Land and Land Reforms Officer traced out, as is evident from the order-in-question. Thus, for a fresh adjudication, the matter ought to be sent back to the Block Land and Land Reforms Officer instead of the appellate authority.

4. Upon a perusal of the order dated June 25, 2007 passed by the appellate authority in a challenge preferred at the behest of the private respondent, we find that the appellate authority, that is, the District Land and Land Reforms Officer adjudicated the matter merely by recording that certain parties were in physical possession of the property, without advertent to any title deeds or supporting documents and/or any report to support such findings.

5. Thus, in principle, the Tribunal was justified in remanding the matter, although for the ends of propriety the remand should have been, instead of to the District Land and Land Reforms Officer, to the Block Land and Land Reforms Officer, the first authority, since the District Land and Land Reforms Officer's order does not reflect any documents having been adverted to.

6. Since extensive documents are sought to be relied on by the petitioners as well as the private respondent, the Block Land and Land Reforms Officer ought to have decided the matter on merits upon taking into consideration the said documents.

7. Since the said exercise was not done by the appellate authority and the parties are not in a position even to produce the order of the Revenue Officer, whereby the names of the

present petitioners were recorded in the records of rights, the only plausible recourse would be, as suggested by the learned Additional Government Pleader, that the matter is sent back to the first authority, that is, the Block Land and Land Reforms Officer.

8. Accordingly, WPLRT No. 176 of 2025 is disposed of by modifying the impugned order dated September 12, 2025 passed by the West Bengal Land Reforms and Tenancy Tribunal, Second Bench in OA No. 2154 of 2007 (LRTT), by remanding the matter to the concerned Block Land and Land Reforms Officer instead of the appellate authority, that is, the District Land and Land Reforms Officer, for a fresh consideration on merits as to the justification of the recording of the petitioners' name in the records of rights in respect of the plots-in-dispute.

9. It is made clear that the Block Land and Land Reforms Officer shall grant adequate opportunity of hearing to the petitioners, private respondent and the State as well as all other interested parties and permit the parties to produce necessary documents in support of their respective contentions before coming to a final conclusion in the matter.

10. It is expected that the said exercise shall be concluded within an outer limit of six months from the date of communication of this order to the concerned Block Land and Land Reforms Officer.

11. The parties and the Block Land and Land Reforms Officer shall act on the basis of the Advocates' communication

of this order, coupled with a server copy of the same, instead of insisting upon prior production of certified copy of the order.

12. Urgent certified copies of this order, if applied for, be made available to the parties upon compliance with the requisite formalities.

(Supratim Bhattacharya, J.)

(Sabyasachi Bhattacharyya, J.)