

July 1, 2025
Sl. No.94
Court No.19
s.biswas

WPA 25893 of 2024

Kanai Singh @ Kanai Lal Singh
vs.
The State of West Bengal and others

Mr. Sk. Sahjahan Ali

... for the petitioner

Mr. Lalit Mohan Mahata, AGP

Mr. Ziaul Haque

... for the State

1. The receipted copy of the letter dated 24.06.2025 as filed by the learned advocate for the petitioner is taken on record.
2. The subject matter of challenge in the instant writ petition is the order dated 22.03.2024 as passed by the respondent no.3/authority whereby and whereunder the respondent no.3 declined to accord necessary permission to the writ petitioner in terms provision of Section 14C of the West Bengal Land Reforms Act, 1955 (hereinafter referred to as 'the said Act of 1955' for short).
3. In course of his submission, Mr. Ali, learned advocate appearing on behalf of the writ petitioner at the very outset draws attention of this court to the order dated 06.03.2024 as passed by a Co-ordinate Bench of this court in WPA 14136 of 2023 whereby and whereunder the respondent no.3 herein was directed to accord necessary permission to the writ petitioner in terms of Section 14C of the said Act subject to

compliance of all formalities by the writ petitioner within a stipulated period.

4. In course of his submission, Mr. Ali draws further attention of this court to page nos.122 and 123 of the instant writ petition being a copy of the order dated 22.03.2024, which is under challenge before this court. It is submitted by Mr. Ali that from the order under challenge, it would reveal that the writ petitioner has complied with all formalities in terms of the provision of Section 14C of the said Act and even then the respondent no.3/authority, for the reason best known to him, had chosen not to accord permission to the writ petitioner in terms of the provision of the aforementioned section.
5. It is thus submitted by Mr. Ali that appropriate relief/reliefs may be granted to the writ petitioner, in terms of the prayers made in the instant writ petitioner.
6. Per contra, Mr. Hoque, learned advocate duly led by Mr. Mahata, learned AGP appearing on behalf of the respondent State submits before this court that from the order under challenge, it would reveal that the writ petitioner has failed to fulfill the criterions for obtaining permission under Section 14C of the said Act.
7. On careful perusal of the entire materials as placed before this court and after hearing the

learned advocates for the contending parties, this court at the very outset proposes to look to the order dated 22.03.2024 as passed by the respondent no.3/authority.

8. On careful perusal of the said order under challenge, it appears that the respondent no.3/authority declined to accord permission to the writ petitioner basically on two grounds:

(i) the writ petitioner has made publication only in a daily newspaper, and

(ii) the writ petitioner has failed to satisfy the reason for his proposed sale as has been mentioned in the said section.

9. Materials have been placed before this court that the writ petitioner has published the advertisement in a daily newspaper having wide circulation in the state of West Bengal. It further appears that the writ petitioner in his application made it clear that he intends to deposit the consideration money in the bank account which tantamounts to investment.

10. This court thus considers that for obtaining permission under Section 14C of the said Act of 1955, the writ petitioner has fulfilled all the criterions, which the respondent no.3 has failed to visualize and has passed a cryptic order without assigning any cogent reason for rejection of the prayer of the writ petitioner.

11. This court thus considers that the order under challenge dated 22.03.2024 is unjust and perverse since the same suffers from non-consideration of the relevant materials vitiating the decision making process of the respondent no.3.
12. Consequently, WPA 25893 of 2024 is hereby allowed.
13. Consequently, the order dated 22.03.2024 as passed by the respondent no.3/authority is hereby quashed.
14. Consequently, the respondent no.3/authority is hereby directed to accord permission to the writ petitioner under Section 14C of the said Act of 1955 within 7 working days from the date communication of the server copy of this order.
15. Liberty is given to the learned advocate on record for the petitioner to communicate the server copy of this order to the respondent no.3/authority.
16. The respondent no.3 is directed to act on the server copy of this order.
17. The time limit as fixed by the court is mandatory and peremptory.
18. Urgent photostat certified copy of this order, if applied for, be supplied to the parties upon compliance of all necessary formalities.

(Partha Sarathi Sen, J.)

