

D/L15
25.11.2025
Rohit
ct.no.16

**IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION
APPELLATE SIDE**

WPLRT 190 of 2025

**Samsujjoha
Versus
State of West Bengal &Ors**

Mr. Kishore Mukherjee

...for the Petitioner

Mr. ChandiCharan De, A.G.P

Ms. Reshma Chatterjee

...for the State Respondents

1. The limited grievance of the petitioner is that the petitioner challenges the inaction of the BL&LRO in sitting over the disposal of a representation by the petitioner seeking benefit under Section 14U (3) of the West Bengal Land Reforms Act, 1955.
2. Learned Counsel for the petitioner contends that the notice issued previously was a composite notice both under provisions of the 1955 Act and the West Bengal Estate Acquisition Act, 1953.
3. However, in such original application seeking expeditious disposal of the proceeding before the BL&LRO, the learned Tribunal decided the issue by observing that since the

petitioner was a post-vesting transferee, the application of the petitioner was not maintainable.

4. It is argued by the petitioner that in view of the notice being composite, both under the 1955 and the 1953 Act, it could not be said that a post-vesting transferee is altogether barred from taking out such an application. It is submitted that although the 1953 Act might contain such bar, the 1955 Act does not contemplate any such absolute bar.
5. Learned Additional Government Pleader seeks to rely upon certain documents to argue that the vesting took place in the 1960's.
6. Such contention is controverted by learned Counsel for the petitioner.
7. Be that as it may, we find that the limited grievance of the petitioner before the Tribunal was the inaction on the part of the BL&LRO, which was the appropriate authority to take up the issue, in disposing of the representation of the petitioner. While deciding such an original application, the learned Tribunal traversed beyond its jurisdiction in deciding the issue itself on merits, thereby usurping the authority of the

designated forum under the Statute i.e., the concerned BL&LRO.

8. Accordingly, WPLRT 190 of 2025 is partially allowed on contest, thereby setting aside the impugned order dated August 27, 2025 passed by the 2nd Bench, West Bengal Land Reforms and Tenancy Tribunal in O.A 2757 of 2016 (LRTT) and remanding the matter to the BL&LRO, Khargram, Murshidabad to decide the representation of the petitioner upon giving adequate opportunity to all concerned, including the petitioner and the respondent authorities, both as regards hearing and opportunity to furnish documentary and/or other evidence in support of their respective cases.
9. The BL&LRO shall complete the entire exercise of such disposal without being influenced in any manner by any of the observations made on merits in the impugned order or by this Court, as expeditiously as possible, preferably within three months from the date of communication of this order to the concerned BL&LRO.
10. No order as to costs.

11. Urgent certified website copies of this order, if applied for, be given to the parties upon compliance with all requisite formalities.

(Sabyasachi Bhattacharyya, J.)

(Supratim Bhattacharya, J.)