

17.12.2025
sayandeep
Sl. No. 07
Ct. No. 03

CO 3920 of 2024

Goutam Lahiri & anr.
Vs.
Ashis Adhikary & ors.

Mr. Tarapada Das

.... For the petitioner

Mr. Nilotpal Chatterjee
Mr. Amritlal Chatterjee

.... For the State

Mr. Srinjoy Das
Ms. J. Jana

.....for the respondent Nos. 1-2

1. Challenging an order passed by the Additional District Judge, 1st Court, Purulia in connection with misc. case No. 1 of 2012, a civil revisional application was filed before this Court.
2. Upon going through the order impugned it would transpire that the order was passed by the Additional District Judge, 1st Court, Purulia in an appeal arising out of an order passed under Section 44 (2a) of the West Bengal Estates Acquisition Act, 1953 (hereinafter referred to as the said Act). Though the aforesaid revisional application was entertained and had remain pending since 26th November, 2024 i.e. when the matter was first heard, however, since it would transpire that the decision of the District Judge is by a Tribunal within the meaning of the Section 55(2) of the said Act, and since, the issue as to whether

learned District Judge constituted as the Tribunal under Section 55(2) of the said Act while entertaining and disposing of the appeal under Section 44(3) of the said Act does not act in exercise of his normal jurisdiction as an ordinary civil Court under the Code of Civil Procedure, 1908, and acts as an authority under a specified Act, within the meaning of Section 2(r) of the West Bengal Tenancy Tribunal Act, 1997, I am of the view that there is no scope to entertain the revisional application. The aforesaid view is supported by a Judgment delivered by the Division Bench in the case of ***Atithi Ranjan Samanta v. Smt. Bangalata Samanta & Ors.*** having neutral citation **2023:CHC-AS:13480-DB.**

3. In view thereof, the revisional application is dismissed without any order as to costs.
4. The dismissal of the revisional application shall, however, not stand in the way of the petitioners applying before the appropriate forum in accordance with law, if so advised.
5. The petitioner shall be entitled to the exclusion of the period for which the revisional application was pending before this Court.
6. On the prayer of the learned advocate-on-record for the petitioners, leave is granted to the petitioners' advocate-on-record to take back the original certified

copy of the order impugned upon furnishing a self-attested photocopy of such order in the file.

(Raja Basu Chowdhury, J.)