

Form No.J(2)

IN THE HIGH COURT AT CALCUTTA
Constitutional Writ Jurisdiction
Appellate Side

Present : The Hon'ble Mr. Justice Sabyasachi Bhattacharyya
&
The Hon'ble Mr. Justice Supratim Bhattacharya

WPLRT 7 of 2026

Sri Swadesh Bhunia
Vs.
The State of West Bengal and others

For the petitioner : Mr. S.P. Lahiri
For the State : Mr. Lalit Mohan Mahata, AGP,
Ms. Asima Sil
Heard on : February 10, 2026.
Judgment on : February 10, 2026.

Sabyasachi Bhattacharyya, J.:

1. Affidavit-of-service filed today be kept on record.
2. Learned counsel for the petitioner submits that initially an information was obtained from the concerned authority in respect of the subject plots, that is, Dag Nos. 28/428 and 28/431, upon which the petitioner was informed that the said two plots had been retained by the raiyat (present petitioner). However, in a subsequent information issued by the concerned B.L. & L.R.O on May 22, 2025, it was intimated that the said plots were recorded in Khatian No. 01 of the concerned Mouza, which clearly indicates that the said plots are treated to be vested in the State Government.
3. Learned counsel submits, by placing reliance on a title deed executed in favour of the predecessor-in-interest of the petitioner dated September 16, 1963, that the lands stood already transferred in the year 1963 and, as such, do not come within the purview of the ceiling limits as contemplated in the

West Bengal Land Reforms Act, 1955. Learned counsel places reliance on Section 14P (1) of the said Act, which stipulates that in determining the ceiling area, any land transferred by sale, gift or otherwise or partitioned by a raiyat after the 7th day of August, 1969 but before the date of publication of the West Bengal Land Reforms (Amendment) Act, 1971 in the Official Gazette, shall be taken into account as if such land had not been transferred or partitioned, as the case may be.

4. It is, thus, submitted that since the plots-in-question had already been transferred prior to the cut-off date and thereafter, further transferred in favour of the petitioner, the same could not have vested at any point of time.
5. When the petitioner approached the concerned B.L. & L.R.O with a representation to effect the necessary corrections to the land records in that regard, the B.L. & L.R.O sat tight over the matter, prompting the writ petitioner to move the West Bengal Land Reforms and Tenancy Tribunal.
6. The learned Tribunal, by its impugned order dated September 18, 2025, merely directed the B.L. & L.R.O to dispose of the representation of the petitioner within six months from the date of communication of the order, thereby relegating the issue again to the B.L. & L.R.O. It is submitted that a positive order ought to have been passed by the Tribunal, directing correction of the records of rights on the basis of the transfer deeds produced by the petitioner.
7. Heard learned counsel for the petitioner as well as the learned Additional Government Pleader, appearing for the State.
8. On a perusal of the impugned order, we do not find any illegality or irregularity in the same inasmuch as the prayer of the writ petitioner was confined before

the Tribunal to a direction on the B.L. & L.R.O to consider the petitioner's representation, which was granted by the Tribunal.

9. However, it would be appropriate, in our view, if the timeline granted to the B.L. & L.R.O for such consideration was shorter.
10. Accordingly, WPLRT 7 of 2026 is disposed of without interfering with the impugned order dated September 18, 2025 passed by the Fourth Bench, West Bengal Land Reforms and Tenancy Tribunal in O.A. No. 2407 of 2025 (LRTT), apart from the minor modification that the timeline given to the B.L. & L.R.O to complete the consideration of the petitioner's representation is shortened to six weeks from the date of communication of this order to the concerned B.L. & L.R.O.
11. While so considering, the B.L. & L.R.O shall grant the petitioner opportunity of hearing and to place all documents and shall consider such documents, including the title deeds of the predecessor-in-interest of the petitioner as well as the petitioner and any other relevant document, if produced by the petitioner.
12. There will be no order as to costs.
13. Urgent photostat certified copies of this order, if applied for, be made available to the parties upon compliance with the requisite formalities.

I agree.

(Sabyasachi Bhattacharyya, J.)

(Supratim Bhattacharya, J.)