

Ct.No.1 D/L 23.02.2026
18
Saikat
Mukherjee

WPA(P)/31/2026

**SUKHENDU MANNA AND ORS.
VS.
STATE OF WEST BENGAL AND ORS.**

Mr. Dinesh Pani, Adv.
Ms. Sulagna Sen, Adv.
Mr. Sudip Kr. Ghosh, Adv.

...For the Petitioners

Mr. Amal Kr. Sen, A.A.G.
Mr. Sayan Datta, Adv.

...For the State

Mr. Soham Dutta, Adv.

...For the Respondent Nos.10-12

Per, Partha Sarathi Sen, J.

- 1.** Affidavit-of-service, as filed in court today on behalf of the writ petitioners, is taken on record.
- 2.** The parties to the instant writ petition are represented by their respective learned counsels.
- 3.** At the time of hearing, learned advocate appearing on behalf of the writ petitioners, at the very outset, draws our attention to Page Nos.50 and 51 of the writ petition being a copy of the representation dated 26th December, 2025as submitted with the Respondent No.5 authority. It is argued that despite submission of the said representation alleging that in violation of section 4C of the West Bengal Land Reforms Act, 1955, (hereinafter referred to as ‘the said Act’, in

short) the private respondents are making attempt to change the nature and character of the land, the Respondent No.5 authority has not taken any steps for stopping the alleged attempt of illegal change of nature and/or character or use of land at the instance of the private respondents in the land, particulars of which has been mentioned in paragraph No.2 of the instant writ petition as well as in the said representation dated 26th December, 2025.

- 4.** It is, thus, submitted that in the event appropriate relief/reliefs is not granted, the very purpose of filing the instant writ petition would become infructuous and further in the event the private respondents are allowed to continue such illegal activity that would have adverse impact in the nature and character of the soil of the land in the relevant mouza which may affect the bread and butter of the many cultivators of the locality.
- 5.** Mr. Sen, learned Additional Advocate General for the Respondent-State in his usual fairness, however, submits that the Respondent No.5 authority may be directed to consider the representation dated 26th December, 2025, in accordance with law and to take appropriate consequential action, if there be any.
- 6.** Learned advocate for the private respondents, however, disputed the contentions of the learned advocate for the writ petitioners.

- 7.** On careful perusal of the entire materials as placed before this Court and after hearing the learned advocates for the contending parties and also keeping in mind the provision of section 4C of the said Act, we deem it fit and proper to dispose of the instant writ petition in the manner indicated hereinabove.
- 8.** While disposing of the instant writ petition, we direct the Respondent No.5 to consider the representation dated 26th December, 2025, in accordance with law and further he is at liberty to make field inspection report by a competent officer of his control prior to disposal of the instant representation.
- 9.** Respondent No.5 is further directed to give due opportunity of hearing, both to the writ petitioner and the Private Respondent No.8 and/or their authorised representatives and/or any other stakeholders, if there be any, and thereafter shall pass a reasoned order and shall forthwith communicate the same to all the parties to the said hearing.
- 10.** The entire exercise, as indicated in the foregoing paragraph, is to be completed within 60 working days from the date of communication of the server copy of this order.
- 11.** The time limit, as fixed by this court, is peremptory and mandatory.
- 12.** Liberty is given to the learned advocate-on-record for the writ petitioner to communicate the server copy of this order together with a copy of the representation

dated 26th December, 2025, to the Respondent No.5 authority who shall act on the basis of the server copy of this order.

- 13.** It is further ordered that in the event while passing the reasoned order, the Respondent No.5 finds sufficient merit in the representation of the writ petition, he is directed to take all consequential action soon thereafter.
- 14.** With the aforementioned observations and directions, WPA (P) No.31 of 2026 is **disposed of**.
- 15.** Before parting with, it is, however, made clear that while disposing the instant writ petition we have not gone into the merit of the representation dated 26th December, 2025, and thus, all points are kept open for adjudication before the Respondent No.5 authority.
- 16.** Since affidavits have not been called for, the allegations made in the instant writ petition are deemed to have been denied.
- 17.** Urgent Photostat certified copy of this order, if applied for, be given to the parties, on priority basis, upon compliance of all necessary formalities.

(SUJOY PAUL, C.J.)

(PARTHA SARATHI SEN, J.)