

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 No. 16 of 2026

Nirmalendu Jana

-vs-

The State of West Bengal and others

For the petitioner : Mr. Sujit Kumar Rath.

For the State : Mr. Ayan Banerjee,
Mr. Ramchandra Guchhait.

Heard on : February 11, 2026.

Judgment on : February 11, 2026.

Sabyasachi Bhattacharyya, J.:

1. On the prayer of the learned Advocate-on-record for the petitioner, leave is granted to the petitioner to carry out the

necessary corrections to the cause title of the writ petition by rectifying the description of respondent no. 3.

2. The affidavit-of-service filed in Court today be kept on record.
3. Heard learned counsel for the parties.
4. The innocuous prayer in the writ petition is that the West Bengal Land Reforms and Tenancy Tribunal, by the impugned order, turned down the petitioner's original application, whereby the petitioner merely sought a direction on the concerned Block Land & Land Reforms Officer (BL & LRO), Contai-II, District- Purba Medinipur, to consider and dispose of the representation given by the writ petitioner for the purpose of recording the name of the writ petitioner in the LR records of rights.
5. Learned counsel for the petitioner submits that the writ petitioner purchased the subject property prior to the purported vesting of the same. Such property, it is argued, was retained by the vendor of the writ petitioner at the time of vesting under the West Bengal Land Reforms Act, 1955.
6. It is submitted that the learned Tribunal dismissed the original application only on the ground that the petitioner's representation does not contain the name of the original *raiyat*

from whose *Khatian* land shall be deducted for providing benefit under Section 14U(3) of the West Bengal Land Reforms Act, 1955.

7. Learned counsel for the State submits that the respondent-authorities had filed an exception before the Tribunal from where it will be evident that the land-in-question was not retained by the vendor of the writ petitioner.
8. Be that as it may, we find that the Tribunal acted without jurisdiction in rejecting the original application of the writ petitioner outright merely on the ground that the representation did not contain sufficient details, thereby overlooking the fact that if a hearing was given on the representation, ample opportunity could have been provided to both the petitioner and the respondent-authorities to produce all documents and materials in support of their respective contentions.
9. Thus, the Tribunal, instead of rejecting the original application, ought to have directed the concerned BL & LRO to consider and decide the petitioner's representation, upon granting opportunity to both sides to produce materials in support of their respective contentions.

10. Accordingly, WPLRT No. 16 of 2026 is allowed on contest, thereby setting aside the impugned order dated November 20, 2025 passed by the Fourth Bench, West Bengal Land Reforms and Tenancy Tribunal in OA No. 2468 of 2022 (LRTT) and allowing the said original application, thereby directing the respondent no. 3, that is, the BL & LRO, Contai-II, District-Purba Medinipur, to consider the present writ petition, along with its annexures, as a comprehensive representation made by the writ petitioner and, upon giving adequate opportunity of hearing as well as producing relevant documents in support of their respective contentions to all interested persons, including the petitioner and the respondent-authorities, to dispose of the said representation on merits and in accordance with law, as expeditiously as possible, by passing a reasoned order, positively within April 15, 2026.
11. The respondent no. 3 shall act on the written communication of the learned Advocates for the parties, coupled with a server copy of this order, for the purpose of compliance of the same, without insisting upon prior production of certified copy thereof.
12. There will be no order as to costs.

13. Urgent photostat certified copy of the order, if applied for, be supplied to the parties at an early date.

I agree.

(Sabyasachi Bhattacharyya, J.)

(Supratim Bhattacharya, J.)