

SL. 3
05.03.2026
Court No.19
BP

WPA 4105 of 2026

Mihirlal Mandal
-versus-
The State of West Bengal and others

Mr. Saikat Chatterjee
Mr. Subhendu Sanyal
..for the petitioner

Ms. Sulagna Bhattacharya
..for the State

The petitioner has prayed for a direction upon the respondent authorities to dispose of the Case No. 44 of 1997 in terms of the order dated 21st August, 1997 passed in W.P. 16127(W) of 1997.

Mr. Chatterjee, learned advocate appearing for the petitioner draws the attention of the Court to the order dated 21st August, 1997 passed in W.P. 16127(W) of 1997 whereby an opportunity was granted to the writ petitioner to file return in Form 7AA and the direction was passed upon the concerned authority to dispose of Case No. 44 of 1997 upon giving reasonable opportunity of hearing to the petitioner and after taking into account the Division Bench judgement of the Court reported in 1996(2) CLJ 258. He submits that the petitioner submitted the statement of land in Form 7AA on 11th June, 2002 in Case No. 44 /1997. He further submits that the said proceeding continued till 2nd April, 2003 and since the revenue officer was transferred the said proceeding was pending. He submits that thereafter a notice dated 17th

March, 2017 has been issued to the petitioner directing the parties to attend the hearing fixed on 28th March, 2017. He submits that till date the proceeding is pending and a direction be passed upon the revenue officer to conclude the proceeding at the earliest.

Heard the learned advocate appearing for the State on such submission.

After going through the averments made in the writ petition and perusing the materials on record including the notice dated 17th March, 2017, it appears to this Court that the petitioner is aggrieved by the alleged lethargic attitude on the part of the respondent authorities in not concluding the miscellaneous case expeditiously. It is not in dispute that the proceeding is pending before an authority under the West Bengal Land Reforms Act, 1955.

After going through the materials annexed to this writ petition this Court is of the considered view that the petitioner is complaining of in action or culpable negligence of an authority under the West Bengal Land Reforms Act, 1955, which is a specified Act under Section 2(r) of the West Bengal Land Reforms and Tenancy Tribunal Act, 1997. In view of the alternative and efficacious remedy available under the West Bengal Land Reforms and Tenancy Tribunal Act, 1997, this Court is not inclined to entertain this writ petition.

Faced with such submission Mr. Chatterjee, learned advocate appearing for the petitioner prays for leave to withdraw this writ petition with liberty to approach the appropriate forum in accordance with law.

In the light of the submissions made by the learned advocate for the petitioner, WPA 4105 of 2026 stands dismissed as withdrawn with the liberty as sought for by the learned advocate for the petitioner.

(Hiranmay Bhattacharyya, J.)