

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 50 of 2026

Khagen Konai
Vs.
The State of West Bengal and Ors.

For the petitioner	:	Md. Salahuddin, Md. Ahsanuzzaman, Advs.
For the respondent no. 6	:	Mr. Asish Bhattacharya, Ms. Paramita Pal, Mr. Soumojit Sen, Advs.
For the State	:	Sk. Md. Galib, Ld. Snr. Govt. Adv., Abu Siddique Mallik, Adv.
Heard on	:	March 30, 2026.
Judgment on	:	March 30, 2026.

Sabyasachi Bhattacharyya, J.:

1. Affidavit of service filed today be kept on record. Since no affidavits have been directed, it is deemed that none of the

allegations made in the writ petition are admitted by any of the respondents.

2. The present challenge has been preferred against an order passed by the West Bengal Land Reforms and Tenancy Tribunal inasmuch as the learned Tribunal did not grant interim protection regarding the possession of the petitioner in respect of the subject property till a proceeding allegedly pending before the concerned B.L. & L.R.O. is disposed of.
3. The short conspectus of the matter is that the petitioner moved an Original Application bearing OA No. 3582 of 2025 (LRTT) before the learned Tribunal, alleging inaction on the part of the B.L. & L.R.O. in not disposing of an application pending before the said authority.
4. Learned counsel for the petitioner draws the attention of the Court to the interim prayer of injunction made in the Original Application and submits that although the learned Tribunal disposed of the OA by passing directions on the B.L. & L.R.O. to decide the matter expeditiously, the learned Tribunal ought also to have granted protection in the interregnum, till disposal of the matter before the B.L. & L.R.O., in terms of such interim prayer, to the petitioner.

5. Learned Senior Government Advocate appearing for the State, on instruction, submits that even the direction passed by the learned Tribunal was infructuous *ab initio*, since the proceeding before the B.L. & L.R.O. had already been disposed of previously, against which an appeal has been preferred by one of the aggrieved parties under Section 54 of the West Bengal Land Reforms Act, 1955, where the writ petitioner is also a party.
6. Be that as it may, since the State has not preferred any appeal against the impugned judgment of the learned Tribunal directing the B.L. & L.R.O. to decide the matter before it expeditiously, we are not interfering with the same on such count.
7. On the merits of the present challenge otherwise, the prayer of the writ petitioner before the learned Tribunal was limited to a direction on the B.L. & L.R.O. to dispose of the matter pending before it expeditiously. By disposing of the Original Application itself, the learned Tribunal has passed such direction, thereby granting the final relief sought in the Original Application to the writ petitioner.

8. The ad interim injunction sought in connection with the said Original Application was merely in the nature of an interim protection, which spent its force with the disposal of the Original Application itself. Upon disposal of the Original Application finally, the learned Tribunal became *functus officio* and there was no scope of passing any further protective order in favour of the petitioner.
9. Accordingly, there is no scope of interference with the impugned order.
10. Hence, WPLRT 50 of 2026 is dismissed on contest without any order as to costs.
11. There will be no order as to costs.
12. Urgent certified copies of this judgment, if applied for, be supplied to the parties upon compliance of all requisite formalities.

I agree.

(Sabyasachi Bhattacharyya, J.)

(Supratim Bhattacharya, J.)

30.03.2026
(SSS)