

Form No. J(2)

In the High Court at Calcutta
Constitutional Writ Jurisdiction
Appellate Side

Present: The Hon'ble Justice Sabyasachi Bhattacharyya
And
The Hon'ble Justice Supratim Bhattacharya

WPLRT 63 of 2026

Rahul Chandra Gorain and others
Vs.
The State of West Bengal and others

For the petitioners : Mr. Surya Prasad Chattopadhyay,
Mr. Satya Ranjan Kundu,
Mr. Arjun Samanta,
Mr. S. Nandi

Heard on : 29.06.2026

Judgment on : 29.06.2026

Sabyasachi Bhattacharyya, J.:-

1. Affidavit-of-service filed today be kept on record. Despite service, none appears for the State at the time of call.
2. By the impugned order, the Fourth Bench of the West Bengal Land Reforms and Tenancy Tribunal dismissed an original application filed by the petitioners. In the said original application, the petitioners had merely made the innocuous prayer for a representation given by the petitioners to the Block Land & Land Reforms Officer (B.L. & L.R.O), Hura, Purulia to be disposed of expeditiously. However, while taking up the original application, the learned Tribunal entered into the

merits of the matter and, on the basis of a report dated August 05, 2022 submitted by the B.L. & L.R.O in the original application, came to the conclusion that it is apparent that the land-in-question has been vested in the State and accordingly, dismissed the petitioners' original application.

3. On a bare perusal of the impugned order, it is evident that the same is fraught with several errors.
4. First, the learned Tribunal usurped the jurisdiction of the statutory authority, that is, the B.L. & L.R.O, which is vested with the power to decide the issues raised by the petitioners in their representation. Secondly, the learned Tribunal, without giving adequate opportunity to the parties to address the matter on its merits, relied on a report filed in connection with the Tribunal, also without taking into consideration the probable reply to the same on the part of the petitioners.
5. Such usurpation of jurisdiction by the learned Tribunal also deprived the petitioners from a forum of challenge.
6. Accordingly, WPLRT 63 of 2026 is allowed, thereby setting aside the impugned order dated January 20, 2026 passed by the Fourth Bench of the West Bengal Land Reforms and Tenancy Tribunal in OA No.1817 of 2020 (LRTT) and directing the B.L. & L.R.O, Hura, Purulia to decide the writ petitioners' representation dated August 07, 2020 independently on its own merits, in accordance with law and without being influenced by any of the observations made in this order and/or the order impugned before us.

7. The B.L. & L.R.O, while doing so, shall give adequate opportunity of hearing to the writ petitioners and all other interested persons. It is expected that the entire exercise shall be concluded as expeditiously as possible, preferably within six weeks from the date of communication of this order to the said B.L. & L.R.O, Hura, Purulia.
8. There will be no order as to costs.
9. Urgent photostat certified copies of this order, if applied for, be made available to the parties upon compliance with the requisite formalities.

(Sabyasachi Bhattacharyya, J.)

I agree.

(Supratim Bhattacharya, J.)