

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 67 of 2026

Madhumita Mazumdar
Vs.
The State of West Bengal and Ors.

For the petitioner : Md. Younush Mondal,
Mr. A. R. Jaglul Kabir,
Mr. Aktaruzzaman, Advs.

For the respondent no. 9 : Mr. Shibasis Chatterjee, Adv.

Heard on : June 30, 2026.

Judgment on : June 30, 2026.

Sabyasachi Bhattacharyya, J.:

1. Affidavit of service filed today be kept on record.
2. Learned counsel appearing for the respondent no. 9 submits that respondent no. 8, the father of respondent no. 9, has expired and that respondent no. 9 is his sole heir and legal representative. Accordingly, we direct the learned advocate-on-record for the petitioner to delete the

name of Gurapada Mondal, since deceased, from the cause title of the writ petition during the course of the day.

3. The grievance of the writ petitioner is that she made a representation for correction of the Records of Rights by incorporating her name before the concerned B.L.& L.R.O. There being a delay in disposal of the said representation, the writ petitioner moved an original application before the Tribunal.

4. By the impugned judgment, however, the learned Tribunal, instead of passing necessary directions, itself decided the issues involved in the representation and came to the conclusion that there is no scope of entertaining such representation in view of the statutory bar imposed by Section 44(2A) of the West Bengal Estates Acquisition Act.

5. Learned counsel for the respondent no. 9 submits that the said respondent is the owner of three of the plots of land which are the subject matter of the petitioner's representation.

6. Be that as it may, by deciding on the merits of the representation itself, the learned Tribunal transgressed its jurisdiction and usurped the authority of the statutory and competent authority empowered under the relevant statute to decide the issues involved in the representation, thereby depriving the parties of a forum of challenge. The impugned judgment, thus, is tainted by such over-action on the part of the learned Tribunal.

7. Accordingly, WPLRT 67 of 2026 is allowed, thereby setting aside the impugned judgment dated September 22, 2025 passed by the Fourth

Bench of the West Bengal Land Reforms and Tenancy Tribunal in OA No. 25 of 2024 (LRTT) and directing the B.L. & L.R.O., Nowda, District - Murshidabad to dispose of the writ petitioner's representation dated August 17, 2023 upon giving opportunity of hearing to the writ petitioner, the private respondents as well as other interested parties in accordance with law, without being influenced in any manner by any of the observations made by the learned Tribunal in the impugned judgment and/or recorded by this Court hereinabove.

8. It is expected that such exercise shall be concluded by the concerned B.L. & L.R.O. as expeditiously as possible, preferably within eight weeks from the date of communication of this order to the said B.L. & L.R.O.

9. We make it amply clear that the merits of the contentions of the parties have not been gone into by this Court.

10. No order as to costs.

11. Urgent certified copies, if applied for, be supplied to the parties upon compliance of requisite formalities.

I agree.

(Sabyasachi Bhattacharyya, J.)

(Supratim Bhattacharya, J.)