

D/L.64.
May 18, 2026.
MNS.

WPLRT No. 69 of 2026

Lalita Goel
Vs.
The State of West Bengal and others

Mr. Puspendu Chakraborty
... for the petitioner.

Mr. Vinay Kumar Purohit
...for the respondent no. 3.

1. Affidavit-of-service filed in Court today be kept on record.
2. Although the State is not represented, in view of the innocuous nature of the order proposed to be passed, since the petitioner/tenant as well as the private respondent/landlord are represented by counsel before us, we take up the writ petition for hearing.
3. By the impugned judgment, the matter was remanded by the appellate authority (Tribunal) under the West Bengal Premises Tenancy Act, 1997 (for short, "the 1997 Act"), for the second time to the Rent Controller for reconsideration of the issue of fair rent.
4. Learned counsel for the tenant/petitioner submits that, while in the first round of remand the appellate authority categorically mentioned that Section 17(3) of the

1997 Act was to be considered at the time of adjudicating the fair rent, the said sub-section has not been specifically enumerated in the present impugned order, to the detriment of the petitioner.

5. Learned counsel for the private respondent/landlord points out that in the impugned judgment, the Tribunal has directed the parameters under Section 17 to be considered.

6. We find from the impugned judgment of the Tribunal that while remanding the matter to the Rent Controller afresh, the Tribunal has categorically provided for the statutory parameters under Section 17 of the 1997 Act to be considered, which includes all the sub-sections of the said provision, including sub-section (3) thereof.

7. Thus, there is no necessity or scope of interference with the said impugned judgment, since the broad contours of the remand order already take care of the apprehension of the petitioner.

8. In such view of the matter, WPLRT No. 69 of 2026 is disposed of without interfering with the impugned judgment dated December 19, 2025, passed by the West Bengal Land Reforms and Tenancy Tribunal, in OA No. 3204 of 2024 (LRTT), making it clear that while considering the matter on remand, the Rent Controller shall keep in view the statutory parameters under Section 17 of the 1997 Act, including sub-section (3) thereof.

9. There will be no order as to costs.

10. Urgent certified copy of this order, if applied for, be made available to the parties upon compliance with the requisite formalities.

(Biswaroop Chowdhury, J.) (Sabyasachi Bhattacharyya, J.)