

02.02.2026

Item No.53

Ct. No.1

PG

WPA (P) 216 of 2022
Omar Faruk Molla
Versus
The State of West Bengal & Ors.

Mr. Swapan Kr. Dutta, Ld. GP
Mr. Nilotpall Chatterjee
Ms. Amrita Panja Moulick.....for the State

PER, PARTHA SARATHI SEN, J.:

1. None appears on behalf of the writ petitioner. Mr. Chatterjee, learned advocate appears on behalf of the respondent/State.
2. At the time of hearing, Mr. Chatterjee, learned advocate for the respondent/State draws our attention to the prayers as made in the instant writ petition. It is submitted that in prayer (a) of the instant writ petition, the writ petitioner has prayed for issuance of appropriate writ/writs against the respondent authorities for initiating appropriate disciplinary proceeding against the respondent nos. 6 and 7 with a further direction upon the respondent authorities to restore the records of rights to its original condition, particulars of which has been mentioned in prayer (b) of the instant writ petition.
3. In course of his submission, Mr. Chatterjee draws our attention to the report dated 16.09.2022, as submitted by the respondent no. 5 as well as the supplementary report dated

01.12.2025, as has also been submitted on behalf of the respondent no. 5 authority.

4. It is submitted by Mr. Chatterjee that on perusal of the report dated 16.09.2022, it would reveal that being aggrieved with the alleged order of mutation in respect of the plots of land, as involved in the instant writ petition, it would reveal that the present petitioner has filed an appeal under section 54 of the West Bengal Land Reforms Act, 1955 (hereinafter referred to as the 'said Act of 1955' in short) before the jurisdictional District Magistrate and District Land and Land Reforms Officer (hereinafter referred to as the 'DL & LRO' in short) and the said appeal is still pending.
5. It is further submitted by Mr. Chatterjee that on perusal of subsequent supplementary report dated 01.12.2025, it would reveal that the respondent authorities have already taken departmental action against the private respondent nos. 6 and 7 and such departmental action was challenged before the West Bengal Administrative Tribunal by filing a case No. O.A. 165 of 2023.
6. It is further submitted that challenging an order dated 27.09.2023, as passed by the said tribunal in the aforementioned O.A., a writ petition was

filed before a Division Bench of this Court, wherein an order has been passed for disbursement of the pensionary benefits to the private respondent. It is thus, submitted by Mr. Chatterjee, in view of the aforementioned factual position, nothing remains to be decided in the instant writ petition.

7. On careful perusal of the entire materials, as placed before this Court and after hearing the learned advocate for the respondent/State and its instrumentalities, we find that the present writ petitioner has already ventilated his grievance before the jurisdictional DL & LRO by filing an appeal under section 5 of the said Act of 1955 and the said appeal is still pending for adjudication.
8. It is pertinent to mention here that such an appeal has been preferred by the writ petitioner challenging the mutation by the jurisdictional Block Land and Land Reforms Officer.
9. As rightly submitted by Mr. Chatterjee that considering the alleged misuse of power, the respondent authorities have already taken departmental action against the private respondent nos. 6 and 7, which was challenged before the West Bengal Administrative Tribunal as well as before a Division Bench of this Court.

10. In view of the chronology of events, we thus, find nothing remains to be decided in the instant writ petition for adjudication.
11. With the aforementioned observations, WPA (P) 216 of 2022 is, thus, disposed of.
12. It is however, made clear that while disposing the instant writ petition, we have not gone into the merits with regard to the allegations made in the instant writ petition.
13. Urgent photostat certified copy of this order, if applied for, be furnished to the parties expeditiously upon compliance of all legal formalities.

(SUJOY PAUL, CJ)

(PARTHA SARATHI SEN, J.)