

01.07.2026
Item No.06
Ct. No. 19
PG

WPA 13965 of 2026
Sri Dinesh Prasad.
Vs.
The State of West Bengal & Ors.

Mr. Avishek Das
Mr. Soubhik Dey.....for the petitioners

Mr. Nilanjan Bhattacharjee, Sr. Adv.
Ms. Jayita Dhar Chakraborty
Mr. Akash Adak.....for the State

1. Parties are represented through their respective learned counsel.
2. By filing the instant writ petition the writ petitioner has prayed for issuance of appropriate writ/writs against the respondent authorities, more specifically against the respondent no. 4 authority commanding him to consider his application for conversion of classification of land dated 06.04.2026, a copy of which has been annexed at pages 58 and 59 of the instant writ petition.
3. At the time of hearing, Mr. Bhattacharjee, learned senior advocate, duly assisted by Ms. Jayita Dhar Chakraborty submits before this Court that the instant writ petition is not maintainable. It is submitted by Mr. Bhattacharjee that in view of section 2(r) of the West Bengal Land Reforms and Tenancy

Tribunal Act, 1997 ('Act of 1997' in short), the West Bengal Land Reforms Act, 1955 ('Act of 1955' in short) is a specified Act and in terms of the provisions of section 6 of the Act of 1997, even an inaction of an authority under a specified Act comes under the jurisdiction of the tribunal, as has been established under section 4 of the Act of 1997.

4. Learned advocate appearing on behalf of the writ petitioner further submits that since no order has been passed upon the application dated 06.04.2026 by the respondent no. 4 authority regarding the prayer for conversion of classification of land, the instant writ petition is maintainable.
5. This Court has meticulously gone through the relevant provisions of the Act of 1997. Admittedly, under section 2 (r) of the Act of 1997, the Act of 1955 is a specified Act. As rightly pointed out by Mr. Bhattacharjee that under section 6 of the Act of 1997, even an inaction of an authority under a specified Act comes under the jurisdiction, power and authority of the tribunal, as has been constituted under section 4 of the Act of 1997.

6. In view of such, this Court is constrained to hold that the instant writ petition is not at all maintainable.
7. With the aforementioned observations W.P.A. 13965 of 2026 is dismissed.
8. Before parting with, it is however, made clear that in the event the writ petitioner approaches the West Bengal Land Reforms and Tenancy Tribunal, as has been constituted under section 4 of the Act of 1997 within 30 working days from today, the said tribunal shall not consider such application regarding inaction of the respondent no. 4 as time barred.
9. There shall be however, no order as to costs.
10. Urgent photostat certified copy of this order, if applied for, be furnished to the parties expeditiously upon compliance of all legal formalities.

(PARTHA SARATHI SEN, J.)