

17.06.2026
Item No.16
Court No.37
CHC
(dismissed)

In The High Court at Calcutta
Constitutional Writ Jurisdiction
Appellate Side

RVW/269/2025
IA NO: CAN/1/2025
CAN/2/2025

Mutleb Sk. (Jidu) @ Md. Mataleb Sk. & Ors.
Vs.
Md. Manirul Islam & Ors.

in

WPLRT/77/2025
Md. Manirul Islam & Ors.
Vs.
The State of West Bengal & Ors.

Mr. Gopal Chandra Ghosh, Sr. Advocate
Ms. Suchismita Lala, Advocate
Mr. Sourav Saha, Advocate
...for the review applicants

Mr. H. Banerjee, Advocate
Mr. Ramdulal Manna, Advocate
Ms. Manju Manna (Dey), Advocate
Mr. Sayan Mukherjee, Advocate
...for the respondents

1. CAN/1/2025 is for condonation of delay.
2. For the ends of justice, causes shown in the application for condonation of delay are accepted as sufficient.
3. In such circumstances, CAN/1/2025 is allowed.

4. Review application is directed against judgment and order dated June 10, 2025 passed in WPLRT 77 of 2025.
5. Learned Senior Advocate appearing for the review applicants submits that, no notice of proceeding before the West Bengal Land Reforms Tribunal was given to the review applicants. Review applicants also did not receive any notice of WPLRT 77 of 2025 in which, the judgment and order under review was passed.
6. Learned Senior Advocate appearing for the review applicants submits that, the names of the review applicants were mutated in the record of rights subsequent to December 5, 2013. Since, review applicants were not given notice of the proceeding, one opportunity should be afforded to the review applicants to canvass their points.
7. Learned Senior Advocate appearing for the review applicants draws the attention of the Court to the affidavit-of-service filed by the writ petitioners in WPLRT 77 of 2025. He submits that, a wrong PIN Code number was given so far as the review applicants are concerned.
8. Writ petitioners are represented.
9. We find from the records that, writ petitioners assailed the order dated March 28, 2025 passed by the West

Bengal Land Reforms and Tenancy Tribunal in O.A. 243 of 2020 (LRTT).

10. Such writ petition was registered as WPLRT 77 of 2025. Affidavit-of-service affirmed on June 9, 2025 filed in the writ petition. Envelopes containing copies of the writ petition were also filed.
11. It appears from paragraph-2 of the affidavit-of-service of the writ petition that, the postal envelopes addressed to the review applicants returned with the remark 'refused'.
12. The envelopes contained the address of the review applicants sans the correct PIN Code number. It is however disputed that correct PIN Code number was not given on the envelope. Absence of the correct PIN Code number *ipso facto* does not allow us to return a finding that, the postal envelopes were not tendered to the review applicants and that, the endorsement of the refusal appearing on the envelope is incorrect. We find corroboration of the claim of the review applicants that, they dispatched the postal envelopes to the review applicants from the printout of the website of the postal department as annexed to the affidavit-of-service of the writ petitioners. There, we find that, the postal envelopes reached Malda Head Office under whose jurisdiction the particular post office of the writ petitioners was situated. All details and particulars of the review applicants are correct save and except only

PIN Code number. This discrepancy in the PIN Code number does not allow us to return a finding that, postal envelopes which are available on record in Court, filed on behalf of the writ petitioners, when tendered, to the review applicants were refused or that, the envelopes did not in fact reach the concerned post office where the review applicants are situated and that, such envelopes were not tendered to the review applicants.

13. It is not the case of the review applicants that endorsement made on the envelope "refusal" is incorrect. Refusal is a good service. The claim of the review applicants that, there were manipulation in the postal service remain unsubstantiated cannot be considered.
14. On merit we find that, by the judgment and order under review, we set aside all mutations, appearing in the record of rights, subsequent to December 5, 2013. After restoring such position we permitted any party to the proceeding to apply for mutation and for the authorities to consider such application for mutation in accordance with law.
15. There is nothing in the judgment and order under review impeding any of the review applicants possessing appropriate right, title and interest to apply for mutation in respect of the plots concerned and obtain such mutation in their favour. Judgment and

order under review is not an impediment of any of the review applicants to seek such relief.

16. In such circumstances, we find no error apparent on the face of the record for us to intervene.
17. **RVW/269/2025** along with connected application are **dismissed** without any order as to costs.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)