

Ct.No.1

D/L 09.04.2026  
44 &  
45

Saikat  
Mukherjee

**WPA(P)/502/2022**

**SONJARPUR DHALUA TRIBALS WELFARE SOCIETY & ANR.  
VS.**

**THE STATE OF WEST BENGAL AND ORS.**

**WITH**

**WPA(P)/498/2023**

**SONARPUR DHALUA TRIBALS WELFARE SOCIETY & ORS.  
VS.**

**THE STATE OF WEST BENGAL AND ORS.**

Mr. Debjyoti Basu, Adv.  
Mr. Chandan Kr. Lal, Adv.  
Mr. P. Baidya, Adv.

...For the Petitioners

Mr. Swapan Kr. Datta, G.P.  
Mr. Nilotpall Chatterjee, Adv.  
Ms. Amrita Panja Maulick, Adv.  
Mr. A.L. Chatterjee, Adv.

...For the State

Ms. Chandreyi Alam, Adv.  
Ms. Runu Mukherjee, Adv.

...For the Union of India  
[in WPA(P)/502/2022]

**Dictated By Sujoy Paul, CJ.**

1. Parties are represented through their respective learned counsel.
2. Regard being had to the similitude of the questions involved, on the joint request of the parties matters were analogously heard and decided by this common order.
3. The principal grievance of the petitioners is that certain plots of land owned by the Scheduled Tribe persons have been grabbed

by other persons and tea plant owners etc.

Thus, it is prayed that such plots of land forcibly grabbed be restored to their respective physical possession.

4. During the preceding hearings, the State filed a report dated 29<sup>th</sup> August, 2025, and took a categorical stand that except one land is sold through sale deed bearing No.I-761 of 2002. The sale deed was executed by Shri Kumar Chettri, son of Late Kancha Chettri (General Category) in favour of M/s. Rebati Agro Private Limited. The stand of Shri Chatterjee, learned government counsel, is that this land was not owned or possessed by ST person and, therefore, sale deed has nothing to do with the relief claimed in the present PILs.
5. Learned counsel for petitioners fairly submits that he is not pressing any relief in relation to aforesaid land which became subject matter of sale deed between Shri Kumar Chettri and Ms. Rebati Agro Private Limited.
6. Learned counsel for the petitioners emphasised on his prayer that the land

possessed in the name of ST persons be permitted to be enjoyed by them and for that necessary directions be issued to the concerned District Magistrate (Respondent No.7).

7. Faced with this, Shri Chatterjee, learned government counsel, fairly submitted that as per his report dated 29<sup>th</sup> August, 2025, and the Revenue record except the land aforesaid all lands are still in the name of concerned ST persons in the Revenue record. The learned counsel for petitioners submits in that event petitioners and such ST persons may be given liberty to file appropriate application before the concerned District Magistrate to ensure that they are permitted to enjoy the peace of land his/their name in the Revenue record.
8. Shri Chatterjee has no objection to this innocuous prayer.
9. Accordingly, this PIL is disposed of by reserving liberty to the petitioners/ concerned ST persons in whose names land is recorded in the land record to submit a representation for enjoying the possession

on the said land. In that event, it shall be the duty of District Magistrate (Respondent No.7) to consider such representation and ensure that the land so registered in the name of the ST persons is permitted to be enjoyed by them.

10. With aforesaid, both the PILs are **disposed of**.

11. Urgent Photostat certified copy of this order, if applied for, be given to the parties, on priority basis, upon compliance of all necessary formalities.

**(SUJOY PAUL, CJ.)**

**(PARTHA SARATHI SEN, J.)**