Form No. J(2)

In the High Court at Calcutta
Constitutional Writ Jurisdiction
Appellate Side

Present: The Hon'be Justice Sabyasachi Bhattacharyya
And
The Hon'ble Justice Md. Shabbar Rashidi

W.P.L.R.T. 218 of 2026

Prasanta Mondal and others
Vs.
The State of West Bengal and others

For the petitioners	:	Mr. Binoy Kumar Das
For the State	:	Ms. Reshmi Ghosh Ms. Renesa Dey
Heard on	:	17.11.2026
Judgment on	:	17.11.2026

Md. Shabbar Rashidi, J.:-

1. The writ petition has been filed challenging an order passed by the West Bengal Land Reforms and Tenancy Tribunal in O.A. 1034 of 2026 on May 15, 2026.

2. By the impugned order, the learned Tribunal dismissed an application filed by the writ petitioners seeking swapping of the

plots of land which were retained by the predecessor-in-interest of the writ petitioners and that vested in the State.

3. The writ petitioners are the legal heirs of one Pravat Kumar Patra, since deceased.

4. A Form 7AA proceeding under the West Bengal Land Reforms Tenancy Act, 1955 (for short 'the 1955 Act) was taken up as against the predecessor-in-interest of the writ petitioners, being 7AA Case No. 28 of 1994.

5. By an order passed in the said proceeding, the authority came to a conclusion that the predecessor-in-interest of the present writ petition was holding land in excess of ceiling area and therefore Form 7AA proceeding under the 1955 Act was initiated against him.

6. Several notices were issued as against the raiyat Pravat Kumar Patra. However, the said raiyat chose not to appear in the said proceeding.

7. Subsequently, at the conclusion of the proceeding under Form 7AA of the 1955 Act, the authority passed an order holding 9.13 acres of the land to be vested in the State, which was mentioned in Schedule-A of the order so passed in the proceeding.

8. 17.30 acres of land, mentioned in Schedule-B of such proceeding, was allowed to be retained by the raiyat.

9. The present writ petitioners moved an application before the authorities for swapping the lands which were retained by their predecessor-in-interest and the lands of the said predecessor which were vested.

10. Since no action was taken on the representation filed on behalf of the writ petitioners, the writ petitioners moved an application before the learned Tribunal, which was disposed of by the impugned order dated May 15, 2026.

11. By the impugned order, the learned Tribunal refused to direct the authorities to reconsider the prayer of the writ petitioners on the ground that the matter was settled about three decades ago.

12. The learned Tribunal was of the view that there was no point in reopening a settled issue.

13. From the records of the proceeding under Form 7AA of the 1955 Act, it transpires that the predecessor-in-interest of the present writ petitioners, that is, the original raiyat, was given sufficient notice to appear in the proceeding or to exercise his option for retention of the lands held by him.

14. However, the predecessor-in-interest of the writ petitioners chose not to appear in such proceeding and accordingly the authority passed the order as indicated above.

15. In the facts and circumstances of the case, we are also of the opinion that there was no point in reopening an issue which was settled about three decades ago.

16. The original raiyat failed and neglected to exercise his opportunity of exercising option for retention which was provided to him.

17. In such circumstances, we find no merits in the present writ petition.

18. Accordingly, WPLRT 218 of 2026 stands dismissed without any order as to costs.

19. Urgent photostat certified copies of this judgment, if applied for, be given to the parties upon compliance of all requisite formalities.

(Md. Shabbar Rashidi , J.)

I agree.

(Sabyasachi Bhattacharyya, J.)

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