

Court No. 19
(265719)

10.04.2026
(AD 9)
(S. Banerjee)

WPA 26598 of 2025

Basudev Mallick & Ors.
Vs.
The State of West Bengal & Ors.

Mr. Swapan Kar
Mr. Debasis Sur
Ms. Chitrani Malakar
Ms. Rekha Das

...for the petitioners

Mr. Soumitra Bandyopadhyay
Mr. Srinath Singha

...for the State

Petitioners claim that a portion of RS Plot No. 133, measuring about 30 decimals, was acquired out of the total area measuring about 45 decimals. Petitioners claim that they are the owners of the balance portion of 15 decimals.

Learned advocate appearing for the petitioners submits that instead of 15 decimals only 8 decimals in plot no. 133 has been recorded in their name.

It appears to this Court that the recording of 8 decimals in plot no. 133 in the name of the petitioners created an impression in the mind of the petitioners that 7 decimals over and above 30 decimals have been utilized by the requiring body.

It is for the petitioners to establish whether they have right, title and interest in respect of LR Plot No.

133 to the extent of 7 decimals or 15 decimals. Such a dispute cannot be decided in a writ petition.

The Special Land Acquisition Officer, North 24 Parganas has filed a report. The said report states that utilization of 7 decimals beyond 30 decimals based on the LR record of rights, is not tenable.

After hearing the learned advocate for the petitioners and after going through the averments made in the writ petition, it appears to this Court that the claim of the petitioners that an excess area over and above 30 decimals in RS plot no. 133 has been utilised, is only based on the recording in the record of rights in respect of LR Dag No. 133.

If the petitioners claim that they are the owner of 15 decimals in LR Dag No. 133 but there has been an erroneous recording in the recording of rights in respect of the share of the petitioners in LR Dag No. 133, it would be open to the petitioners to approach the appropriate authority for rectification of the record of rights.

With the above observations, this writ petition stands disposed of.

(Hiranmay Bhattacharyya, J.)