

S/L 24
02.07.2026
Court. No. 25
suvayan

WPA 26785 of 2025

Krishna Das Deb & Anr.
Vs.
The State of West Bengal & Ors.

Mr. Yashraj Roy
Mr. Rudranil Pramanik

...for the petitioners.

Ms. Sudipa Banerjee
Mr. Nripendra Pratap Singh

...for the State.

Mr. Prajnadeepta Roy
Ms. Sohini Kundu
Mr. Debojyoti Goswami

...for the respondent no. 9.

1. The petitioners have filed the present writ application with the grievance that the petitioners have made a detailed representation to the concerned authority on October 25, 2025 requesting the respondent no. 4 as follows:

“1. Cancel the freehold deeds issued in favour of Shyamal Das, Late Sudhir Ranjan Das (since deceased), Late Adhir Ranjan Das (since deceased), Late Santosh Ranjan Das (since deceased) in connection to four bata plots being E/P No. 178A and S/P No. 187/1, E/P No. 178B and S/P No. 187/2, E/P No. 178C and S/P No. 187/3 and E/P No. 178 and S/P No. 187 and
2. Cancel the illegal partition of the mother plot of land into these four bata plot of lands being E/P No. 178A and S/P No. 187/1, E/P No. 178B and S/P No. 187/2, E/P No. 178C and S/P No. 187/3 and E/P No. 178 and S/P No. 187.”

2. The contention of the petitioners are that the grandfather of the petitioners Harendra Nath Das has got the

property in terms of the Scheme of 1987 but the authorities without the consent of the petitioners who is also one of the legal heirs of the Harendra Nath Das has sub-divided the property in four parts and with respect of one part a deed has been executed in favour of the private respondent. Though the petitioners are having the right over the property but the petitioners have not given any opportunity either at time of sub-division or at the time of execution of the deed in favour of the private respondent.

3. Learned counsel for the private respondent raised the question of maintainability of the present writ application and submits that the petitioners are claiming their right, title and interest with respect of the property by way of writ application. He further relied upon the Scheme of 1987 and 1999 and submits that the authorities have acted in accordance with the said Scheme. He further submits that the petitioners have challenged the deed of the private respondent which cannot be challenged in the writ application, if the petitioners are having grievance against the said deed, the petitioners could have filed civil suit instead of writ application.
4. Heard the learned counsel for the respective parties, perused the materials on record.
5. This Court finds that the grievance of the petitioners in the present writ application that the petitioners have raised their grievances before the respondent no. 4 by way of representation dated October 5, 2025, prior to

that also the petitioners have made the grievance but the respondent authorities have not considered the request of the petitioners.

6. Accordingly, without going into the merit of the matter, this Court disposed of the present writ application by directing the respondent no. 4 to consider the representation of the petitioners by giving an opportunity of hearing to the petitioners as well as the affected parties and to pass a reasoned and speaking order within a period of 10 weeks from the date of receipt of this order.
7. It is made clear that this Court had not gone into the merit of the matter and the respondent no. 4 shall decide the matter in its own merit.
8. WPA 26785 of 2025 is disposed of.
9. Urgent photostat certified copies of this order, if applied for, be supplied to the parties upon compliance with all the necessary formalities.

(Krishna Rao, J.)