

Form No. J(2)

In the High Court at Calcutta
Constitutional Writ Jurisdiction
Appellate Side

Present: The Hon'ble Justice Sabyasachi Bhattacharyya
And
The Hon'ble Justice Supratim Bhattacharya

W.P.L.R.T. 210 of 2025
With
W.P.L.R.T. 211 of 2025

Badal Goswami
Vs.
The State of West Bengal and others

For the petitioner : Mr. Haradhan Mondal

For the State
In WPLRT 210 of 2025 : Mr. Jahar Lal De
Mr. Shamim ul Bari

For the State
In WPLRT 211 of 2025 : Mr. Lalit Mohan Mahata
Mr. Ziaul Haque

Heard on : 19.01.2026

Judgment on : 19.01.2026

Sabyasachi Bhattacharyya, J.:-

1. Affidavits-of-service filed in court today be kept on record.

2. Both the writ petitions arise out of connected proceedings and, as such, are taken up together for hearing.
3. The petitioner claims to have purchased the subject plot in the year 1990 by way of a registered sale deed and subsequently mutated the petitioner's name in the Kolkata Municipal Corporation records.
4. The house constructed thereupon becoming dilapidated, reconstruction was sought, at which juncture it was allegedly discovered by the petitioner that the concerned records of rights reflect the land as vested.
5. Upon enquiry, the petitioner merely came to know that BR Case No.1 of 1957 was mentioned with regard to the said vesting in the records of rights.
6. Being unaware of the other particulars of the purported vesting, information was sought before the appropriate authority under Section 50 of the West Bengal Land Reforms Act, 1955, which having not been furnished, the petitioner moved O.A. No.217 of 2022 (LRTT) before the West Bengal Land Reforms and Tenancy Tribunal.
7. The BL & LRO dismissed the application on the ground that, being a prescribed authority under Section 50 of the 1955 Act, the BL & LRO did not have any scope to furnish such

information as sought by the petitioner, which view of the BL & LRO was affirmed by the Tribunal as well.

- 8.** During the pendency of O.A. 217 of 2022, an affidavit-of-exception was filed by the respondent-authorities, thereby disclosing a status report.
- 9.** According to the petitioner, the said status report furnished insufficient information, prompting the petitioner to file another original application bearing O.A. 920 of 2023 (LRTT).
- 10.** The said subsequent O.A. was also disposed of in the light of similar observations.
- 11.** The learned Tribunal, while disposing of the same, also held that being a prescribed authority under Section 50 of the 1955 Act, the BL & LRO, Kolkata had no scope to furnish such information, in view of which issuance of direction upon the BL & LRO for disposing of such representation would be an empty formality.
- 12.** Challenging both the said orders of the Tribunal, the present two writ petitions have been preferred.
- 13.** Upon hearing learned counsel for the parties, this court concurs with the view taken by the Tribunal and the BL & LRO inasmuch as there is no scope of furnishing any information regarding any vesting or purported vesting of a land within the ambit of

Section 50 of the 1955 Act, which pertains to maintenance of the records of rights and ancillary modalities.

- 14.** The appropriate remedy of the petitioner would be under the Right to Information Act, 2005 to seek such information, if otherwise permitted to be furnished in law, before the appropriate authority under the said Act.
- 15.** Thus, the Tribunal rightly observed that there was no scope of any direction as sought by the writ petitioner, which would be an empty formality in view of the BL & LRO having no scope to furnish such information under Section 50 of the 1955 Act.
- 16.** Consequentially, we also find that there is no scope of challenging the status report filed in connection with a different original application by way of a second original application at all.
- 17.** Hence, the Tribunal was justified in dismissing both the original applications.
- 18.** In view of the above observations, WPLRT 210 of 2025 is dismissed on contest, thereby affirming the judgment dated November 13, 2025 passed in O.A. No. 217 of 2022 (LRTT) by the Fourth Bench of the West Bengal Land Reforms and Tenancy Tribunal.

- 19.** WPLRT 211 of 2025 is also dismissed on contest, thereby affirming the judgment dated November 13, 2025 passed in O.A. No. 920 of 2023 (LRTT), also by the Fourth Bench of the West Bengal Land Reforms and Tenancy Tribunal.
- 20.** It is made clear that nothing in this judgment or the impugned orders shall preclude the petitioner from applying before the appropriate authority for necessary information regarding particulars of the vesting of the subject land under the Right to Information Act, 2005.
- 21.** There will be no order as to costs.
- 22.** Urgent photostat copies of this order, if applied for, be given to the parties upon compliance of all requisite formalities.

(Sabyasachi Bhattacharyya, J.)

I agree.

(Supratim Bhattacharya, J.)

AD-09-10

AK