

S/L 12
30.06.2026
Court No.
SD

CALCUTTA HIGH COURT
IN THE CIRCUIT BENCH AT JALPAIGURI
CIVIL APPELLATE JURISDICTION

MAT 48 of 2026
CAN 1 of 2026
CAN 2 of 2026

Hasina Khatun
Vs.
Union of India & Ors.

Mr. Partha Chakraborty
Ms. Angana Rakshit
Ms. Avisikta Das

...for the Appellant.

Mr. Sudipto Kumar Mazumdar, DSGI
Mr. Ajoy Kumar Singhanian

...for the Union of India.

Mr. Kunaljit Bhattacharjee, Ld. AGP
Ms. Esha Acharya

...for the State.

1. The appeal has been preferred by the private respondent in the writ petition after a delay of fifty one days.
2. Being satisfied with the explanation provided in the application seeking condonation of delay, we allow the application under Section 5 of the Limitation Act and take up the appeal for hearing on merits.
3. It appears that the appellant was impleaded as respondent no.7 in the writ petition which was filed by the Union of India.
4. The learned Single Judge recorded that the petitioner shall be at liberty to approach the West Bengal Land Reforms

and Tenancy Tribunal in connection with the relief prayed for under prayer (b) of the writ petition. The writ petition was entertained only with regard to the relief prayed for under prayer (a) directing the State respondents to supply documents to the writ petitioner as prayed for within a stipulated time period.

5. The appellant herein was heard by the learned Single Judge at the time of disposing of the writ petition.

6. It has been brought to the notice of the Court that in compliance of the liberty granted by the learned trial judge, the Union of India has already approached the West Bengal Land Reforms and Tenancy Tribunal by filing application being OA No.1015 of 2026 [Union of India vs. The State of West Bengal & Ors.].

7. Specific point taken by the appellant is that the claim of the writ petitioner, i.e., the Union of India is a time barred claim and the writ court ought not to have entertained the same.

8. Upon hearing the parties and upon perusal of the records, it appears that the learned Trial Judge was pleased not to adjudicate the dispute on merits. The learned Trial Judge merely granted liberty

to the petitioner to approach the West Bengal Land Reforms and Tenancy Tribunal.

9. As the Union of India has already approached the Tribunal in the meantime impleading the appellant as a party in the said proceeding, it will be open for the appellant herein to raise all points before the learned Tribunal in the Original Application that has been filed.

10. As no other point has been raised in the appeal, the appeal along with connected application for stay stands disposed of.

11. Parties to act on the basis of the server copy of this order duly downloaded from the official *website* of this Court.

(Amrita Sinha, J.)

(Ajay Kumar Gupta, J.)