

S/L 20
15.09.2025
Court. No. 19
Suwayan

WPA 430 of 2024

**Lalu Sardar & Ors.
Vs.
The State of West Bengal & Ors.**

Ms. Sananda Bhattacharyya

...for the petitioners.

*Mr. Soumitra Bandyopadhyay
Mr. Priyabrata Batabyal*

...for the State.

1. The writ petitioners and the respondents/State are represented by their respective Counsels.
2. On perusal of the prayer of the instant writ petition it reveals that the writ petitioners have prayed for issuance of appropriate writ/writs against the respondent nos. 4 to 7 commanding them to make corrections in the Records of Right and to grant patta in the name of the writ petitioners in respect of the property particulars of which has been mentioned in paragraph no. 3 of the instant writ petition.
3. On careful consideration of the entire materials as placed before this Court it appears to this Court that the instant writ petition is not at all maintainable since the writ petitioners are aggrieved on account of inaction or culpable negligence of an authority under the West Bengal Land Reforms Act, 1955 which is a specified Act under Section 2 (r) (ii) of the West Bengal Land Reforms and Tenancy Tribunal Act, 1997 (hereinafter referred to as the 'said Act of 1997' in short).

4. On perusal of the Section 6 of the said Act of 1997 it reveals that an application complaining inaction or culpable negligence of an authority under a specified Act comes within the jurisdiction, power and authority of the West Bengal Land Reforms and Tenancy Tribunal as has been constituted under Section 4 of the said Act of 1997.
5. In view of such, this Court is constrained to hold that the instant writ petition is not at all maintainable.
6. With the aforementioned observation, WPA 430 of 2024 is dismissed.
7. However, there shall be no order as to costs.
8. Before parting with it is, however, made clear that since the writ petitioners are pursuing their remedy in a wrong forum, this Court directs that in the event the writ petitioners file an appropriate application on the self-same cause of action before the said Tribunal within 60 working days from today the said Tribunal shall condone the delay in filing the said application, if there be any.
9. Urgent Xerox certified copy of this order, if applied for, be given to the parties upon compliance of all necessary formalities.

(Partha Sarathi Sen, J.)