

**23/02
2026**

**AD-04/04
1509
NANDY**

(OP)

**Calcutta High Court
In the Circuit Bench at Jalpaiguri
Civil Revisional Jurisdiction
Appellate Side**

CO 13 of 2026

Lalan Thakur & Ors.
VS
Kishor Sahani & Anr.

Mr. Kunaljit Bhattacharya, Advocate
Mr. Haidar Ali, Advocate
Mr. Satyam Sarkar, Advocate
Mr. Alok Sah, Advocate

.....for the Petitioners

1. The applicant is a defendant in Title Suit No. 81 of 2023, instituted by the plaintiff/opposite party. The said suit is for the purpose of a temporary injunction restraining the plaintiff and other opposite parties from claiming any right, title and interest in the suit land. The applicant herein claims to be the owner of the said property by devolution.
2. To establish the fact that the plaintiff was not a 'Bargadar', a report had been filed along with an application by the applicant herein before the learned Trial Court. The said application was rejected by an order of 18.12.2025 and the suit has been fixed on 25.02.2026 for framing of issues.
3. The applicant's case that the report relied upon by them before the learned Trial Court records that the plaintiff is the owner of the land in question, from his predecessor-in-interest. The opposite parties are not in the possession of the land nor is any agricultural activity being carried on in such land.

4. This issue is required to be considered under Section 21 of the West Bengal Land Reforms Act, 1955 by the designated authority, which is why the application by the applicant herein had been preferred.
5. In view of the afore-stated, it is clear that the report had not been considered, on account whereof, CO 13 of 2026 is admitted.
6. The applicant is directed to serve a notice on the plaintiff/opposite party.
7. Let this matter appear in the list on **02.03.2026**.
8. The applicant will file affidavit of service on the returnable date.
9. The admission of this revisional application will not create an impediment on the learned Trial Court proceeding to frame the issues in the title suit.

(Reetobroto Kumar Mitra, J)