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30.04.2025
S.D.
Ct. No. 26

W.P.L.R.T. 18 of 2025
With
Baktieruddin Rahman & Anr.
Vs.
The State of West Bengal & Ors.

Mr. Syed Samsul Arefin
...For the petitioners

Mr. Sk. Md. Galib, Sr. Govt. Adv.,
Ms. Sujata Mukherjee
....For the State

Order dated November 26, 2024 passed by the West Bengal Land Reforms Tenancy Tribunal in O.A. 158 of 2024 (LRTT) is under challenge in the present writ petition.

Petitioners before us applied for correction of the record of rights. Application of the petitioners not being attended to by the concerned Block Land & Land Reforms Officer, petitioners approached the Tribunal by way of O.A. 158 of 2024 (LRTT) which was disposed of by the impugned order.

By the impugned order, the Tribunal finds that there is a report under the Right to Information Act, 2005 and on such basis proceeds to dismiss the original application.

With respect, the plea of the writ petitioners is consideration of an application for correction of the record of rights. Such application is required to be decided on merits. None of the authorities, right upto the tribunal stage decided to issue as to the claim for correction of the record of rights as made by the petitioners, on merits.

In such circumstances, we set aside the order impugned of the Tribunal.

We direct the concerned Block Land & Land Reforms Officer to decide the application made by the petitioners for correction of record of rights after affording a reasonable opportunity of hearing to the petitioners as also other parties who may be interested in the plot concerned. Concerned Block Land & Land Reforms Officer is at liberty to hear such other parties and consult such documents that he deems appropriate. He will pass a reasoned order which he will communicate to the parties he heard forthwith thereafter. It is expected that the entire exercise is completed within a period of eight weeks from the date of communication of this order to him.

We clarify that we did not decide on the claim of the rival parties before us in any manner whatsoever. All points raised by the parties are kept open.

W.P.L.R.T. 18 of 2025 is disposed of without any
order as to costs.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)