

# (Dr. Ardhendu Sinharay vs State Of West Bengal & Ors.) on 10 January, 2024

**Author: Suvra Ghosh**

**Bench: Suvra Ghosh**

18  
jdt. 10.01.2024  
jb.

W.P.A. 17672 of 2023  
(Dr. Ardhendu Sinharay vs. State of West Bengal & Ors.)

Mr. Sarajit Sen  
Mr. Soumyen Datta  
Mr. Tapas Singha Roy  
... For the Petitioner

Mr. Ayan Banerjee  
Ms. Oindrila Chatterjee  
... For the State

Mr. Keshab Chanddra Das  
... For the Respondent No. 7

Mr. Arjun Mookerjee Hera Nafis Exception used by the petitioner to the report in the form of affidavit is taken on record.

The petitioner has challenged the writ of possession issued against him on February 17, 2023. In the report in the form of affidavit submitted on behalf of the State respondents it is stated that the L.R. Khaitan bearing the petitioner's name was in existence up to 14th February, 1971 after which a B.R. case being No. 54/79 was initiated and the plots in question were declared vested in the State. The vested land has been subsequently allotted in favour of the private respondent by way of a long-term settlement.

Since the present case stands on the anvil of the vesting order issued by the authority, the matter pertains to West Bengal Land Reforms Act, 1955 and the West Bengal Estates Acquisition Act, 1953.

In view of the above, this Court has no jurisdiction to entertain the writ petition and the same is accordingly dismissed.

However, liberty is granted to the petitioner approach the appropriate forum for redressal of his grievance. In the event the petitioner approaches the appropriate forum within two months from this date, the appropriate forum shall deal with the matter on merits and shall not dismiss the same on the ground of limitation upon the petitioner taking appropriate steps before the authority seeking

condonation of delay.

There shall however, no order as to costs. Urgent certified website copy of the order, if applied for, be given to the parties on compliance of requisite formalities.

(Suvra Ghosh, J.)