

D/L 03 & 04
Court no. 11
August 31, 2026.
KAUSHIK

**Calcutta High Court
In the Circuit Bench at Jalpaiguri**

**M.A.T. 13 of 2026
CAN 1 of 2026
CAN 2 of 2026
CAN 3 of 2026**

Rajen Sharma & Ors.
Vs.
Sraboni Trade Link Pvt. Ltd. & Ors.

With

**M.A.T. 14 of 2026
CAN 1 of 2026
CAN 2 of 2026
CAN 3 of 2026**

Bikram Tewari & Ors.
Vs.
Tirupati Heights LLP & Ors.

Mr. Bikramaditya Ghosh
Mr. Mayank Bhandari
Mr. Vivek Saha
... for the appellants

Mr. Ajay Singhal
Ms. Heera Yasmin Shaikh
... for the respondent No.1

Mr. Jagriti Mishra, learned AAAG
Mr. Kunaljit Bhattacharjee
Ms. Radhika Agarwal
... for the State

This appeal has been filed by a non-party
to the writ petition.

Briefly, the writ petitioner/respondent
complains of unlawful deletion of the names from
the Records of Rights through fake conveyances.
Upon being satisfied, the Learned Single Judge
after passing several orders ultimately constituted
a Committee to enquire into the matter. Upon

carrying on such investigation, it was found that more than 5000 files relating to mutation cases were missing from the Office of the Block Land and Land Reforms Officer, Rajganj. There were also innumerable wrongful entries in the Record of Rights and several illegally initiated mutation cases. There was also a case of disappearance of records from the concerned Office. In this background, it was found that the matter needed to be further investigated and appropriate criminal proceeding be initiated amongst the concerned officers. In such circumstances, the Learned Single Judge disposed of the writ petition by, *inter alia*, directing as follows:

“6. Under such circumstances, the I.G., North Bengal is requested to constitute a Special Investigating Team comprising of senior police officials including the Inspector-in-Charge of the concerned police station/stations having jurisdiction over the alleged offence allegedly committed by the persons mentioned in the complaint. The team shall also investigate whether the erstwhile Block Land and Land Reforms Officer and the head clerk of the office were in collusion with these offenders. An FIR will be registered on the basis of the complaint already filed and the said investigation shall continue expeditiously. Necessary steps shall be taken in accordance with law and the investigation shall be reached to its logical conclusion.”

In this background, the instant appeal has been filed by a non-party to the writ petition, *inter alia*, contending that since the First Information Report and a charge-sheet had been filed before

the concerned authorities, there should be no further investigation insofar as the appellant is concerned pertaining to the 5000 missing files from the Office of the respondent no. 4.

Pursuant to a direction and in view of the seriousness of the matter, Mr. Jagriti Mishra, Learned AAG, Jalpaiguri was requested to be present. On taking instructions, it was found that despite there being no stay nor embargo nor restraint of any kind whatsoever, the investigation carried out by the Special Investigating Team (SIT) in terms of the impugned order is still continuing.

The facts of this case reveal that there are serious allegations of fraud and interpolation of land records in the Office of the respondent no. 4. In such circumstances, the directions in the impugned order for formation of a SIT and for investigation on these facts warrants no interference whatsoever. The appellant cannot be aggrieved by any such directions. There is no finality as yet in the investigation which the SIT is conducting. The matter is still at large and any attempt of the appellant or any party would only procrastinate matters. The appellant cannot have any grievance whatsoever against the impugned order and any contention sought to be raised is ill-motivated and for ulterior purpose. In such circumstances, these appeals along with

connected interlocutory applications stand dismissed. There is no infirmity in the discretion exercised by the Trial Court. In any event, in view of the public interest, there is no ground to interfere.

The State authorities and in particular the SIT are directed to act expeditiously in terms of the impugned order.

(Ravi Krishan Kapur, J.)

(Supratim Bhattacharya, J.)