

8th February,
2021
(AK)
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W.P.A 1540 of 2020

Ashok Ranjan Chakraborty
Vs.
The Chief Manager, State Bank of India, Ichapore Branch
& Ors.

Mr. Soujanya Bandyopadhyay
...For the Petitioner.

Mr. P.K. Ray
...For the Respondent no.1.

The petitioner's grievance is that, despite a loan taken by the petitioner from the State Bank of India, Ichapore Branch, having been liquidated, the respondent no.1 is not returning the necessary documents relating to the IGR Numbers regarding registration of the title deeds of the petitioner.

It is further submitted that the Bank took the stand that they had lost the relevant documents from their records and have lodged appropriate General Diary increase with the concerned police.

It is complained by the petitioner that due to such development, despite registration having been completed, the registered documents in original are not being returned to the petitioner.

Despite service, none appears for the respondent nos. 2 and 3, although the petitioner and respondent no.1 are represented through counsel.

In view of adequate steps having been taken by the respondent Bank to indicate that the original IGR documents were lost from their custody, it is for the respondent nos. 2 and 3 to return the original documents upon registration to the petitioner, upon being furnished with sufficient documents to indicate the respective IGR Numbers and materials to show that those were lost.

Accordingly, W.P.A. 1540 of 2020 is disposed of by granting liberty to the petitioner to approach the registering authority, being respondent no.3, asking for return of the registered title deeds of the petitioner upon furnishing necessary documents and materials to indicate the connected IGR Numbers and to show that the original IGR documents were lost from respondent no.1's custody.

Upon such an approach being made, respondent no.3 shall ensure, upon preliminary satisfaction of the entitlement of the petitioner to get back such documents, return the original registered title deeds to the petitioner at the earliest in accordance with relevant provisions of law.

Such decision shall be taken by the respondent no.3 within a fortnight from the date of being approached by the petitioner.

There will be no order as to costs.

Urgent photostat copies of this order, if applied for, be given to the parties upon compliance of all requisite formalities.

(Sabyasachi Bhattacharyya, J.)