

W.P.A No.6173 of 2021
Lakshmi Kanta Kamilya & Ors.

vs.

The State of West Bengal & Ors.

16.08.21
Sl 117
Ct-08
tkm

Mr. Bhaskar Chandra Manna	... for the Petitioners
Mr. Srijib Chakraborty	... for the State

The petitioners complain that, a deed presented for registration in 1989 has not been made over till date.

The learned advocate for the State submits that, the deed was presented with stamp papers, which were forged. A criminal proceeding in respect of such forgery is pending. In such circumstances, the petitioners are not entitled to get back the original deed.

Having considered the rival contentions of the parties, it would be appropriate to direct the petitioners to put in the cash equivalent of the stamp duty payable in respect of the deed presented for registration in 1989 to the registering authorities. Upon the registering authorities receiving such deposit, they will keep the same in an interest bearing fixed deposit account opened with any nationalized bank and will provide the certified copy of the deed to the petitioners.

This order will not prevent the authorities from proceeding with the criminal case of forgery. This will not also prevent the authorities from proceeding against the petitioners, if they find that the petitioners are involved in

the forgery.

W.P.A 6173 of 2021 is disposed of without any order as to costs.

Urgent certified website copies of this order, if applied for, be made available to the parties upon compliance of the requisite formalities.

(Debangsu Basak, J.)