

10.08.2021
jb.

W.P.A. 4423 of 2019
(Rahim Mallick vs. State & Ors.)

Mr. Debasish Das
....For the Petitioner
Mr. T. M. Siddiqui
.... For the State

The petitioner seeks a mandamus commanding the respondents to execute a deed of relinquishment in favour of the petitioner in respect of the subject premises. It is submitted on behalf of the petitioner that the petitioner has been served with notices of restitution and possession. Accordingly, since the subject premises has been de-requisitioned, the petitioner submits that the same must now be handed over to the petitioner.

Mr. Siddiqui, Advocate appearing for the State relies on the impugned order dated 26th September, 2018 passed in disposing of a representation of the petitioner in terms of an order dated 19th January, 2016 passed by a Co-ordinate Bench of this Court. He further submits that the petitioner is a post acquisition transferee and thus, he cannot have any right to seek reliefs which are being sought for in this petition.

I am of the view that the impugned order dated 26th September, 2018 passed by the Land Acquisition Collector, Tamluk, Purba Medinipur does not warrant

any interference whatsoever. I find no infirmity, illegality nor perversity with the said order which justifies any interference with the same. On the contrary, the impugned order records the reasons as to why the petitioner is not entitled to relinquishment of the subject premises. In any event in view of the fact that the petitioner is a post acquisition transferee, I am of the view that the petitioner cannot claim the reliefs now prayed for.

In view of the aforesaid, W.P.A. 4423 of 2019 stands dismissed.

However, there will be no order as to costs.

Photostat certified copy of the order, if applied for, be given to the parties on compliance of requisite formalities.

(Ravi Krishan Kapur, J.)