

01-09-2021
ct no. 13
Sl.111
sp

W.P.A. 4891 of 2018

Bapi Dutta

-Versus-

The State of West Bengal & Ors.
(Via Video Conference)

Mr. Satrajit Bandopadhyay, Id. Jr. Standing Counsel
Mr. Tapan Roy

...for the petitioner

Mr. Sirsanya Bandopadhyay, Id. Jr. Standing Counsel,
Mrs. Sudeshna Das Majumdar

...for the State

The writ petition has been mentioned for
upgradation on the ground of urgency.

This Court sees absolutely no such urgency.

The brief facts of the case are that lease is
stated to have been executed on 4th April, 2012 by the
petitioner with one Sankar Das. The petitioner seeks
to have such leasehold interest registered by a self-
declaration.

This Court is of the view that such purported
lease cannot be allowed to be registered since rights in
respect of a property are claimed in rem. A sole
declaration of any lease with a deceased person is
absolutely of no value or consequence. The question of
any registration of such document cannot be allowed.

Hence, the writ petition shall stand dismissed.

There shall be no order as to costs.

All parties shall act on the server copy of this order duly downloaded from the official website of this Court.

(Rajasekhar Mantha, J.)