

W.P.A No.7472 of 2021

Manik Lal Maity

vs.

The State of West Bengal & Ors.

16.08.21

Sl 123

Ct-08

tkm

Mr. Bhaskar Chandra Manna

... for the Petitioner

Mr. Srijib Chakraborty

... for the State

The petitioner complains 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 petitioner is not entitled to get back the original deed.

Having considered the rival contentions of the parties, it would be appropriate to direct the petitioner 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 petitioner.

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 petitioner, if they find that the petitioner is involved in the

forgery.

W.P.A 7472 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.)