

S/L. 161
10.12.2021
pk

WPA 5420 of 2014
(CAN 2 of 2021)

Smt. Manu Oraon
Vs.
The State of West Bengal and others

Mr. Debasish Chattopadhyay
...for the applicants/petitioners.

Re: CAN 2 of 2021

Supplementary affidavit filed in Court today is kept with the records.

This application for substitution has been filed for recording the death of the writ petitioner and for bringing on record the heirs and legal representatives of the deceased writ petitioner, namely, Smt. Manu Oraon.

It is stated in the said application that the said writ petitioner died leaving behind her husband and two sons. Particulars of the said heirs and legal representatives of the deceased writ petitioner are stated in the substitution application.

Such prayer is allowed. The heirs and legal representatives of the deceased petitioner are substituted in stead and in place of original writ petitioner.

The application for substitution being CAN 2 of 2021 is, thus, allowed.

Abatement if any, shall stand set aside. The substituted writ petitioners shall serve notice afresh on the respondents.

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The original writ petitioner had prayed for mutating her name. The property lying at B-14/103,

Kalyani, Nadia was purchased from the original lessee being proforma respondent nos. 1 to 6 by deed of transfer dated 30th July, 2010.

For recording the transfer and mutation, the Estate Manager required the petitioner to pay transfer fees morefully described in the notification of the Urban Development Department of the State dated 12th July, 2005. The original writ petitioner had contended that she is not liable to make such payment.

Counsel for the substituted writ petitioners submits that they are now willing to pay the transfer fees, mutation fees and any other fees and/or levy and/or charges, as may be notified by the Urban Development Department of the State.

In that view of the matter, the Estate Manager, Kalyani shall communicate to the substituted writ petitioners all and every amounts that the substituted writ petitioners are required to pay for the purpose of mutation of the aforesaid property in their favour.

The substituted writ petitioners shall also be required to comply with the production of any documents as may be required by the Estate Manager.

Upon receipt of all the documents to the satisfaction of the Estate Manager and payments, the name of the substituted writ petitioners shall be mutated within a period of two months thereof.

The substituted writ petitioners shall serve copy of this order on the respondents and Mr. Thaker, learned advocate, who appeared on behalf of the respondents on 25th October, 2021.

With the aforesaid observations, the writ petition is disposed of.

There will be no order as to costs.

(Rajasekhar Mantha, J.)

