

06.12.2021.
Item No. 6.
Court No.13
pk

W.P.A. No. 8069 of 2008
(Through Video Conference)
Sri Madhab Chandra Ghosh
Versus
The State of West Bengal & Ors.

Mr. Achyut Basu,
Ms. Sonam Basu,
Ms. Punam Basu

..For the petitioner.

Mr. Sudipto Panda,
Ms. Munmun Tewary

... for the State.

The writ petitioner claims that he is entitled to have his lease/transfer registered on 22.01.2001 between Keshab Chandra Ghosh and Madhab Chandra Ghosh, enforced. It is submitted that despite repeated requests, the Estate Manager/respondent no. 2 has not replied.

Counsel for the State submits that the land-in-question is at Kalyani and prior permission of the Urban Development Department, Kalyani was required transferring the same. In the absence of such prior permission, the transfer becomes illegal.

This Court is of the view that transfer, sought to be effected by reason of the said indenture dated 22.01.2001, is illegal. Transfer itself being illegal, the registration of the said documents, would be of no consequence whatsoever and would not convey the right, title or interest to anyone.

The writ petition is disposed of without any further order.

There will be no order as to costs.

All parties are directed to act on a server copy of this order duly downloaded from the official website of this Court.

(Rajasekhar Mantha, J.)