

30.9.2021
Court No. 19
Item no. 50

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WPA No14200 of 2021

Biswanath Roy
Vs.
State of West Bengal & Ors.

(via video conference)

Mr. Debasish Chattopadhyay
Mr. Loknath Paul
Mr. Tirthankar Basu
..for the petitioner
Mr. Srijan Nayak
Ms. Rituparna Maitra
..for the State

The learned advocate for the petitioner submits that an application for mutation in respect of a portion of land situated at holding no. 9/8 (New No.12/9/9), Sidheswar Banerjee Road, Circle No.4, district 24 Parganas North, Mouza Halishar, J.L. No.6, Khatian No. 6719, P.S.: Bijpur, Pargana: Halelisahar, Touzi No. 2455, 2457, R.S. No. 37, Dag No. 1037 having boundary to the North Sidheswar Banerjee Lane, has not been disposed of by the said municipality. It is further submitted that the requisite documents and fees have already been deposited.

Without going into the merits of the claim of the petitioner and without deciding the right, title, interest and possession of the petitioner, the writ petition is disposed of with the direction upon the competent authority of Halisahar municipality to

dispose of the application for mutation filed by the petitioner, upon hearing the petitioner and all persons who may have any claim with regard to the self-same property. Such decision shall be taken within a period of three months from the date of communication of this order. A reasoned order shall be passed and communicated to all concerned. If it is found that the mutation can be effected, the same shall be done. If it is found that the mutation cannot be effected, in that case, reasons shall be assigned in the order.

The petitioner is directed to serve a server copy of this order along with a copy of the application for mutation and receipt showing payment upon the competent authority.

This writ petition is disposed of.

There will be, however, no order as to costs.

Parties are directed to act on the basis of the server copy of this order.

(Shampa Sarkar, J.)