

28
30.11.2021
Ct. No.10
b.das

W.P.A. 16226 of 2021

(Via Video Conference)

Sankar Chandra De @ Dey
Vs.
State of W.B. & Ors.

Mr. Suchana Banerjee ...for the petitioner.

Mr. Priyabrata Batabyal ...for the State.

Heard learned counsels for the parties.

Affidavit of service filed by the petitioner be taken on record.

The contention of the petitioner is that one Pushpita Ranjan Bhattacharya was granted lease in respect the land in question for 999 years by virtue of a deed of lease dated 20th May, 1996. The said lessee intended to transfer the property in favour of the petitioner for which she applied before the concerned authority for consent to such transfer in terms of Clause 9(g) of the lease agreement dated 13th December, 1971.

As no reply from the concerned authority was received by the erstwhile lessee within the stipulated period of time, she transferred the said land in favour of the petitioner who has been accompanying the same 26th December, 2005.

The petitioner filed several applications before the Estate Manager, Kalyani Urban Development Department for mutating his name in respect of the leasehold interest, but such applications are yet to be considered. The petitioner prays for consideration of the said applications by the authority at the earliest.

Having considered the submissions made by the learned counsels appearing on behalf of the parties and the material on record, I dispose of the writ petition with a direction upon the respondent No.2 to consider and dispose of the applications filed by the petitioners dated 19th July, 2017 and 21st December, 2018 within a period of two months from the date of communication of this order and after giving reasonable opportunity of hearing to all the affected parties including the petitioners, in accordance with law.

With the above observations and directions this writ petition WPA 16226 of 2021 is disposed of. However, there shall be no order as to costs.

Since no affidavit is invited, the allegations contained in the petition are deemed not to be admitted.

Urgent certified website copy of this order, if applied for, be supplied to the parties upon compliance with all requisite formalities.

(Suvra Ghosh, J.)