

December 16, 2021

ARDR

(16)

WPA 15829 of 2019

Archana Gupta

Vs.

The State of West Bengal & Ors.

Mr. Sumanta Kumar Das,
Mr. Sekhar Barman,

...for the petitioner.

Mr. Chandi Charan De,
Mr. Anirban Sarkar,

...for the State.

Report filed by the State authority be taken on record.

Supplementary affidavit filed by the petitioner be also taken on record.

Heard learned counsels for the parties.

The petitioner submits that the land in question originally belonged to lessee Santosh Dasgupta who, while possessing the property, bequeathed the same in favour of Pradip Kumar Dey by virtue of a Will. After demise of the erstwhile lessee, Pradip Kumar Dey obtained Probate of the said Will and was possessing the property by mutating his name therein. The property was subsequently transferred in favour of the petitioner's father, after whose demise the petitioner inherited the property as lessee. Prior to such transfer permission was sought from the respondent authority by the erstwhile lessee Pradip Kumar Dey on 13th August, 2003, but no reply to the same was given by the authority. The petitioner filed several

applications before the Estate Manager, Urban Development Department, Kalyani, Nadia for mutation of her name in respect of the plot, but such applications were not considered by the authority. The last application filed by the petitioner was on 25th June, 2019 which is still pending. The petitioner prays for a direction upon the authority to consider the said application at the earliest.

Having considered the submissions made on behalf of the parties and material on record, the writ petition is disposed of directing the 3rd respondent to consider and dispose of the representation submitted by the petitioner dated 25th June, 2019 within a period of two months from the date of communication of this order upon granting reasonable opportunity of hearing to all the interested parties including the petitioner, in accordance with law.

WPA 15829 of 2019 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.)