

**08.02.2021**  
**Item no. 45**

**Aloke**  
**Ct. no.38**

**(Through Video Conference)**

**W.P.A. 9478 of 2020**

**Manju Rani Mondal**  
**Versus**  
**The State of West Bengal & Ors.**

Mr. Shashwat Nayak  
Mr. Anirudhya Dutta  
... for the petitioner  
Mr. Soumitra Bandyopadhyay  
Mr. Aniruddha Sen  
... for the State  
Mr. Ranajit Chattearjee  
Mr. Gopal Chandra Das  
... for KMC

Since there has been a change of Advocate insofar as the petitioner is concerned, the new Advocate is permitted to file the vakalatnama with the 'no objection certificate' of the erstwhile Advocate in Court today.

The petitioner says that she has been in occupation of the property in question for a very long time. Her father-in-law and husband were also in occupation of the same property and both of them passed away while being in occupation and possession of the said property. The electricity line in the said property is in the name of the petitioner. The ration card of the petitioner would also reflect that the petitioner is residing in the said property. The only prayer of the petitioner is that the authorities should consider granting a patta/permanent occupancy

certificate in her favour in respect of the said property. To that end, she has made a representation dated June 11, 2020, addressed to the 2<sup>nd</sup> respondent. However, no steps have been taken on the basis of such representation. Hence, this writ petition.

Heard learned counsel for the parties.

The 2<sup>nd</sup> respondent is directed to dispose of the petitioner's representation dated June 11, 2020 (Annexure P-5 to the writ petition), by a reasoned order, in accordance with law, within a period of eight weeks from the date of receipt of a copy of this order and a copy of the writ petition from the petitioner, after giving an opportunity of hearing to the petitioner or her authorized representative. The decision so taken, shall be communicated to the petitioner within a week from the date of the decision. The petitioner shall be at liberty to rely on relevant documents and/or case law at the hearing to be granted by the 2<sup>nd</sup> respondent. Needless to say, if the petitioner's request finds favour with the 2<sup>nd</sup> respondent, appropriate consequential directions will be given expeditiously for execution of permanent occupancy certificate in favour of the petitioner in respect of the concerned property.

I have not gone into the merits of the petitioner's claim. The 2<sup>nd</sup> respondent shall take an informed decision, in accordance with law.

W.P.A. 9478 of 2020, is, thus, disposed of.

Since no affidavit has been called for, none of the allegations in the writ petition shall be deemed to have been admitted by the respondents.

**(Arijit Banerjee, J.)**