

11/02/2021
Item No.67 DL
Court No.38
S. DE

Through Video Conference

W.P.A. 10936 of 2020

Chandrani Biswas.

-Vs-

The State of West Bengal & Ors.

Mr. Debasish Chattopadhyay
Mr. Loknath Paul ...for the petitioner.

Mr. Rabindra Narayan Dutta
Mr. Suprabhat Bhattacharyya
 ...for the State Respondents.

Affidavit-of-service filed in Court be taken on
record.

The petitioner obtained probate of a will of one Nilima Acharya since deceased, from this Court. along with a copy of the probate, the petitioner has made an application to the Estate Manager & Ex-Officio, Assistant Secretary to the Government of West Bengal, Urban Development Department, being the second respondent herein for mutation of a particular property in the name of the petitioner. Such representation/application dated December 19, 2019 was followed by a reminder application dated February 13, 2020. It is submitted that such applications have not yet received the attention of the second respondent.

Learned advocate appearing for the State in his usual fairness submits that the second respondent

may be directed to dispose of the applications. Accordingly, I direct the second respondent to consider and dispose of the petitioner's applications dated December 19, 2019 and February 13, 2020 (annexures P-6 and P-7 to the writ petition) and dispose of the same by a reasoned order, in accordance with law within a period of twelve weeks from the date of receipt of a copy of this order along with a copy of the writ petition, 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.

I have not gone into the merits of the petitioner's case. It will be up to the third respondent to take an informed decision, in accordance with law uninfluenced by anything observed in this order.

Since no affidavit-in-opposition has been invited, the allegations contained in the writ petition are deemed not to be admitted.

W.P.A. 10936 of 2020 is, accordingly, disposed of.

There will be no order as to costs.

Urgent certified copy of this order, if applied for, be made available to the parties upon compliance of the requisite formalities.

(Arijit Banerjee, J.)

