

OD-5

WPO 36 of 2021
IN THE HIGH COURT AT CALCUTTA
Constitutional Writ Jurisdiction
ORIGINAL SIDE

BISWAJIT GOSWAMI
VERSUS
STATE OF WEST BENGAL & 4 ORS

BEFORE:

The Hon'ble JUSTICE SABYASACHI BHATTACHARYYA

Date : 18th February, 2021.

APPEARANCE:
Mr. Tapas Dutta, Adv.

Mr. Sirsendu Bandyopadhyay, Adv.

Mr. Arka Kr. Nag, Adv.

The Court:- The grievance of the petitioner is that, despite the petitioner having sought on June 19, 2020 a search report in respect of particular plots of land from the period 1990 “till date” (as on June 19, 2020), respondent no. 5 has failed to furnish any such search report. Learned Counsel for the petitioner submits, by placing reliance on the reply of respondent no. 5 to the petitioner’s query, annexed at pages 8 and 9 of the writ petition, that no records were found from the year 2008 to 2020 but the records were otherwise available from January 1, 1900 onwards. It is thus argued that the report could very well have been furnished from the year 1990 till 2007.

Learned Counsel appearing for the respondent authorities submits that the records since the year 1996 are available with respondent no. 5, before whom the information was sought. Records prior to that are lying with respondent no. 4. However, in his usual fairness, learned Counsel for the State respondent submits that the respondent nos. 4 and 5 shall provide the search report as asked for by the petitioner within four weeks. It is submitted that in view of a portion of the records having not yet been digitized, the search report will take some time to be prepared.

In view of submissions of the parties, WPO No. 36 of 2021 is disposed of by directing respondent no. 4 to supply to the petitioner search report in respect of the plots referred to in the query of the petitioner (annexed at page no. 10 and page no. 12 of the present writ petition) for the period 1990 to 1995. Respondent no. 5 shall furnish a similar search report to the petitioner for the period 1996 to 2007. Such search reports shall be supplied to the petitioner within four weeks from date.

No order as to costs.

Urgent certified photocopies of this order, if applied for, be made available to the parties subject to compliance with all requisite formalities.

(SABYASACHI BHATTACHARYYA, J.)