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ORDER SHEET
CC/11/2020
IN THE HIGH COURT AT CALCUTTA
SPECIAL JURISDICTION (CONTEMPT)
ORIGINAL SIDE

ASHOK KUMAR SARAOGI
VERSUS
SMARAKI MAHAPATRA,
THE INSPECTOR GENERAL OF REGISTRATION, GOVT. OF W.B. AND ORS.

BEFORE:
The Hon'ble JUSTICE DEBANGSU BASAK
Date: 13th January, 2021.

(Via Video Conference)

Appearance:
Mr. Rajeev Kumar Jain, Adv.
Mr. Ayush Jain, Adv.

Mr. A. Banerjee, Sr. Adv.

The Court: Affidavit of service filed in Court be taken on record.

In this contempt petition, the petitioner complains of violation of the order dated April 17, 2019 passed in WP No.184 of 2019.

By the order dated April 17, 2019, finding that the original document presented for registration cannot be located, liberty was granted to the parties to have the document reconstructed in terms of the provisions of the Registration Act, 1908 read with the Government Order bearing No.722 dated March 23, 2006. The petitioner approached this Court in the contempt petition complaining that the respondent authorities were neither reconstructing the document nor making over the original document.

During the pendency of the contempt petition, the Court is informed that, the respondent authorities located the original document save and except the first page which apparently stands torn away.

Learned senior advocate appearing for the respondent authorities submits that the first page stands reconstituted.

Today, the issue is the delivery of the original document.

The respondent authorities claim that, the original will be made over to the presenter of the document for registration on production of the original IGR and the signature of such presenter.

Learned advocate appearing for the petitioner submits that, the original IGR is with the petitioner. The petitioner will place the original IGR with the respondent authorities. Since the document was presented by the developer, such person is no longer willing to obtain the document concerned.

So far as the return of the document is concerned, since the petitioner possesses the original IGR and petitioner is one of the parties to the document concerned, it would be appropriate to direct the authorities to make over the original document to the petitioner on production of the original IGR.

CC/11/2020 is disposed of accordingly.

(DEBANGSU BASAK, J.)