

17
21.01.2022
Ct. No.10
b.das

W.P.A. 215 of 2022
(Via Video Conference)

Bapi Majumder
Vs.
State of W.B. & Ors.

Ms. Debalina Lahiri ...for the petitioner.

Affidavit of service filed by the petitioner be taken on record.

Heard learned counsel for the petitioner.

None appears for the State respondents despite service.

Mr. Chandi Charan De, who usually appears for the State and is present on the virtual mode, is requested to represent the State in the matter. His appointment be regularized by the office of the learned Legal Remembrancer.

The petitioner should serve copy of the writ petition alongwith all annexures thereto on Mr. De in course of this day.

It is contended on behalf of the petitioner that several refugees including the predecessor-in-interest of the petitioner were accommodated in the plots in question in

Mouza 84 Jadavpur under Gayeshpur Municipality and have been residing therein by constructing their respective dwelling houses. No deed/patta was executed in favour of such occupants. The predecessor-in-interest of the petitioner applied before the concerned authority for registration of freehold title deed in his favour in respect of the plot in question. Subsequently, after demise of the said predecessor-in-interest on 3rd March, 2007, the petitioner being his only son residing in the said plot applied before the authority on 19th February, 2015 intimating the death of his predecessor-in-interest and also prayed for grant of patta or freehold title deed in his favour.

The petitioner was directed to submit his prayer in the prescribed proforma alongwith an affidavit and his Refugee Status Certificate with present residential proof before the Refugee Rehabilitation Section of the Sub-divisional Officer, Kalyani by a letter dated 14th December, 2020 issued by the Additional District Magistrate and District Land & Land Reforms Officer, Nadia.

Several representations to this effect were made by the petitioner which fell on deaf ears. The petitioner submitted a demand notice through his learned advocate before the authority on 10.05.2021 requesting the authority to take immediate steps for grant of patta or freehold title deed in favour of the petitioner.

By a letter dated 3rd August, 2021 issued by the District Rehabilitation Officer (LR & RR), Nadia to the Sub-

divisional Officer, Kalyani, Nadia, the Sub-divisional Officer was asked to provide application format to give freehold title deed against the homestead plot under the jurisdiction of RR office, Kalyani, Nadia to the petitioner.

The petitioner complains that such application format has not been supplied to him till date. The petitioner prays for direction upon the authority to provide such format to the petitioner at the earliest.

It is submitted on behalf of the state respondents that the 7th respondent be directed to provide such format to the petitioner within a stipulated period of time.

Upon consideration of the submissions made on behalf of the parties, the writ petition is disposed of directing the Sub-divisional Officer, RR Section, Kalyani, the 7th respondent herein, to provide the application format to the petitioner as referred to in the letter dated 3rd August, 2021 issued by the District Rehabilitation Officer (LR & RR), Nadia in order to enable the petitioner to get the freehold title deed against the homestead plot at the earliest. Such exercise is expected to be completed within a period of one month from the date of communication of this order.

With the above observations and directions this writ petition being WPA 215 of 2022 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.)