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01.08.2022
d.p.

**In The High Court At Calcutta
Constitutional Writ Jurisdiction
Appellate Side**

W.P.A. 1017 of 2020

**Sanjay Palangder
-versus
The State of West Bengal & Ors.**

**Mr. Ayan Mitra,
Mr. Chandan Mondal.
...For the Petitioner.**

**Mr. Sandipan Banerjee,
Mr. Sobham Majumder.
...For HMC.**

**Mr. Ankit Sureka.
...For Respondent
Nos. 6 and 7.**

Supplementary affidavit filed in Court today is taken on record.

The petitioner is aggrieved by the order passed by the Deputy Assessor, Howrah Municipal Corporation dated 26th August, 2019 cancelling the mutation in favour of the petitioner in respect of the Holding No. 20/1/1, Shalimar Road, Ward No.-39, Borough-VI under the jurisdiction of the Howrah Municipal Corporation.

The mutation stood cancelled on the ground that the petitioner relied upon false and fake deed.

Learned advocate appearing for the petitioner submits that the deed in question is of the year 1959.

The same has been submitted and is in the custody of the Court in connection with the Title Suit No. 1561 of 2018 pending before the Learned Civil Judge, 2nd Court at Howrah.

Learned advocate appearing for the respondent Nos. 6 and 7 submits, upon instructions, that the deed relied upon by the petitioner does not match with the original deed collected by them from the Registering Authority.

It has been submitted that the figures mentioned in the deed, Title Suit and the writ petition are different.

Learned advocate appearing for the Howrah Municipal Corporation submits that relying upon the objection raised by the respondent Nos. 6 and 7, the Howrah Municipal Corporation cancelled the mutation in favour of the petitioner as a dispute has cropped up with regard to the title of the property in question.

It appears from the submissions made on behalf of all the parties that there are highly disputed questions of fact involved in the present writ petition. Whether the documents relied upon by the petitioner for obtaining the mutation is genuine or fake cannot be decided by the writ Court.

In view of the above, the writ petition stands dismissed.

Dismissal of the writ petition will however, not stand in the way of the petitioner from approaching the appropriate forum, for redressal of his grievances, in accordance with law, if so advised.

Urgent photostat certified copy of this order be supplied to the parties, if applied for, as early as possible.

(Amrita Sinha, J.)