

WPA 2029 of 2022

Monika Ghosh
Vs.
The State of W. B. & Ors.

Mr. Partha Chakraborty
Ms. S. China ...for the petitioner.

Mr. Chandi Charan De
Mr. Anirban Sarkar ...for the State.

Mr. S. Talukdar
Mr. A. Sarkar ...for the KMDA.

Affidavit of service filed on behalf of the petitioner is taken on record.

Heard learned counsels for the parties.

The grievance of the petitioner is that despite being allotted a plot of land by the Kolkata Metropolitan Development Authority and execution of indenture on 15th September, 1999 upon clearance of the entire consideration demanded by the authority, possession of the plot has not been handed over to the petitioner till date.

It is submitted on behalf of the Kolkata Metropolitan Development Authority that it is the usual practice of the authority that the indenture is executed only after possession of the land is handed over to the lessee. It is a fact that the authority is unable to produce any possession

certificate issued in favour of the petitioner in support of his contention.

Be that as it may, the petitioner prays for a direction upon the authority to consider his prayer for handing over possession of the plot in question.

In view of the above, the writ petition be treated as a representation by the petitioner before the authority and the 3rd respondent is directed to consider and dispose of the same within six weeks from the date of communication of this order, after affording reasonable opportunity of hearing to the petitioner, in accordance with law.

The decision taken by the authority shall be communicated to the petitioner within a week thereof.

With the above observations and directions, the writ petition being WPA 2029 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.)