

04.07.2022
rc/ct.no.10
Item No.22

WPA No. 3548 of 2022

Mr. Debasish Chattopadhyay
Mr. Tirthankar Basu ...for the Petitioners

Mr. Soumitra Bandyopadhyay
Mrs. Tanusree Pal Chowdhury....for the State

Mr. Tapas Kr. Rakshit
..for the respondents no.3&4

Affidavit of service filed in Court today is taken on record.

The predecessor-in-interest of the petitioners, Madan Gopal Mullick, since deceased, was allotted a plot of land measuring about 8 Cottahs in 1963 by the 2nd respondent by virtue of an agreement executed on 09.11.1963. The original lessee expired before the deed of lease could be executed and the petitioners being his legal heirs stepped into his shoes. In the meantime the wife of the original lessee and one of his sons also expired. The petitioners submitted several representations before the authority requesting death mutation of the leasehold interest in their favour but to no effect. The petitioners pray for direction upon the authority to consider and dispose of the representations submitted by them after giving them reasonable opportunity of being heard.

Upon considering the submissions made by the learned counsels appearing on behalf of the parties and

material on record the writ petition is disposed of directing the 2nd respondent to consider and dispose of the last representation submitted by the petitioners on 13.09.2021 within two months from the date of communication of this order after affording reasonable opportunity of hearing to all the interested parties including the petitioners, in accordance with law.

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

With the above observations and directions this writ petition is disposed of.

There shall be, however, 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 furnished to the parties upon compliance of necessary formalities.

(Suvra Ghosh,J)