

15.09.2022
rc/ct.no.10
Item No.25

WPA No. 2989 of 2020

Mr. Arindam Chattopadhyay
Mrs. Lipika Chatterjee
Mr. Soumik Dey ...for the Petitioner

Mr. Chandi Charan De
Mrs. Reshmi Rahaman
Mr. Anirban Sarkar ...for the State

The petitioner's mother Smt. Kalyani Chowdhury (since deceased) was allotted a plot of land in Bidhan Pally Refugee Colony as she was a migrant from East Pakistan and certificate of ownership and possession were issued in her favour. Her name was mutated in the records of Gayeshpur Municipality in respect of the said plot of land and municipal tax was paid by her accordingly. The said allottee applied for patta before the Government on September 24, 1996 but was not granted the said patta during her lifetime. The petitioner being the legal heir of the said allottee submitted a comprehensive representation before the concerned authority praying for issuance of patta in his favour as the sole legal heir of the original allottee Late Kalyani Chowdhury which is yet to be disposed of. The petitioner prays for a direction upon the concerned authority to consider the said representation at the earliest.

It is further submitted by the learned counsel appearing on behalf of the petitioner that the petitioner also has been residing in the plot of land all through out.

It is submitted by the learned counsel appearing on behalf of the State-respondents that the 4th respondent be directed to consider the representation in accordance with law.

In view of the above, the writ petition is disposed of directing the 4th respondent to consider and dispose of the representation submitted by the petitioner dated September 24, 1996 within two months 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.

In the event the petitioner is found eligible for issuance of patta in his favour, necessary consequential steps be taken by the 4th respondent within a month thereafter.

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)