

Ct. 05
Item No.18
19.07.2022
(suvendu)

WPA 7340 of 2022

**Suchitra Mondal
Vs.
The State of West Bengal & Ors.**

Mr. Rajib Kumar Basu
.....for the petitioner
Mr. Raja Saha
Mr. Sayak Chakraborty
.....for the State

The only prayer of the petitioner is for a direction on the Inspector General of Registration and Commissioner of Stamp Revenue, West Bengal to act in terms of the Circular of 28.02.2020 issued by the Directorate of Registration and Stamp Revenue.

Sub-clause (a) of Clause 2 of the said Circular provides that any buyer or subsequent buyer who has already purchased any immovable property on the basis of such Power of Attorney entitled to get a certified copy of the respective Power of Attorney or deed of revocation or cancellation of respective Power of Attorney and that the registration authority should ensure that the certified copy is issued to such buyer or subsequent buyer only after proper identification.

The object of the said Circular appears to be to remove the difficulty faced by prospective buyers of immovable properties in ensuring whether the Power of Attorney shown to them is genuine. The point raised on behalf of the Registering Authority is that the petitioner has approached the Authority through an agent who is not covered under the Circular.

After hearing learned counsel appearing for the parties, WPA 7340 of 2022 is disposed of with liberty to the petitioner to approach the Authority under the Circular and the Authority to issue the certified copy of the Power of Attorney to the petitioner within four weeks from the date on which the petitioner approaches the Authority by way of an application or otherwise in her individual capacity.

It is made clear that the Authority is the Additional District Sub-Registrar, Alipore, South 24 – Parganas being the respondent no. 3 before this Court.

Urgent photostat certified copy of this order, if applied for, be given to the parties on usual undertakings.

(Moushumi Bhattacharya, J.)

