

Ct. 05
Item No.13
22.06.2022
(Suvendu)

WPA 9381 of 2021

**Paresh Nath Singha
Vs.
The State of West Bengal & Ors.**

Mr. Debabrata Mondal
Ms. Sreetama Neogi
.....for the petitioner

Mr. Falguni Bandyopadhyay
Ms. Riya Ballav
.....for the respondent no.7

Mr. Partha Pratim Roy
Mr. Ayan Banerjee
.....for the State

The affidavit of service is taken on record.

The admitted case before the Court is that the petitioner and the respondent no. 7 executed a joint lease in favour of the State-respondents and received rent jointly from the property from 2014 to 2017. Disputes however arose between the petitioner and the private respondent who are brothers and the petitioner now wants his portion of the rent to be deposited in the petitioner's separate bank account. The private respondent is before the Court and also seeks the same relief.

It appears from the documents that the petitioner wrote a representation to the District

Registrar, Murshidabad on 01.04.2019 for taking appropriate steps and the Assistant Commissioner of Stamp Revenue also wrote a letter to the District Registrar, Murshidabad on 05.02.2020 requiring certain documents from the petitioner and the private respondent including a joint declaration that both of them are willing to accept their share of rent through their specified separate accounts. This has not been provided by the petitioner and the private respondent till date.

Considering the submissions made on behalf of the parties, the respondent no.6 being the Inspector General and Commissioner of Stamp Revenue is directed to consider the position of the petitioner and the private respondent and take appropriate steps so that the rent can be received by both the parties (petitioner and the respondent no.7) in their respective specified separate bank accounts. The arrear rent, if any, shall also be similarly disbursed in their separate specified bank accounts. The petitioner is also directed to comply with the requirements stated in the letter dated 05.02.2020. The respondent no. 6 shall take the aforesaid steps within a period of six weeks from the date of communication of this order.

WPA 9381 of 2021 is disposed of in terms of the above.

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

(Moushumi Bhattacharya, J.)