

16.02.2022
rc/ct.no.10
Item No.03

WPA No. 8433 of 2019
Smt. Manimala Mondal & Ors.
Versus
The State of West Bengal & Ors.
(VIA VIDEO CONFERENCE)

Mr. Debasish Chattopadhyay	
Mr. Tirthankar Basu	..for the petitioners
Mr. Supratim Dhar	...for the State

Affidavit of service filed by the petitioners be taken on record.

The contention of the petitioners, in brief, is that by virtue of registered deed of transfer dated 14.07.2015 the petitioners acquired title and possession in respect of the disputed plot from the erstwhile lessee. The petitioners applied for mutation before the concerned authority which was provisionally allowed by the latter by a letter dated June 30, 2017 subject to condition that construction on the plot should be completed within six months from the date of issuance of the order and clearance from the competent authority in accordance with the Urban Land Ceiling Act, 1976 must be obtained and submitted before the concerned office, also within a period of six months from the date of the order.

Upon compliance of the said conditions, the petitioners submitted an application before the authority on December 13, 2017 praying for retention of the land in

question and mutation in their favour but the said application is still pending.

The petitioners subsequently submitted a representation before the authority on October 04, 2018 in this regard which is yet to be considered. The petitioners pray for a direction upon the authority to consider the representation at the earliest.

Having considered the submissions made by the learned counsels appearing on behalf of the parties and the material on record, the writ petition is disposed of directing the respondent no. 2 to consider and dispose of the representation filed by the petitioners on October 04, 2018 within a period of one month from the date of communication of this order, after giving reasonable opportunity of hearing to all the affected parties including the petitioners, in accordance with law. The decision taken by the authority shall be communicated to the petitioners within a week thereafter.

With the above observations and directions this writ petition being WPA No. 8433 of 2019 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)

