

WPA 10131 of 2022

Basudev Dey
Vs.
The State of West Bengal & Ors.

Mr. Arka Tilak Bhadra,
Mr. Debasis Kar,

...for the petitioner.

Mr. Chandi Charan De,
Mr. Anirban Sarkar,

...for the State.

Affidavit of service filed by the petitioner is taken on record.

On prayer of the petitioner, liberty is granted to expunge the name of the 9th respondent, Nilmadhab Saha from the cause title of the writ petition.

The cause title of the writ petition be amended accordingly.

The grievance of the petitioner is that the private respondents have induced the son of the petitioner, who is a specially abled person, to execute a deed of sale in their favour and the said deed was registered by the 2nd respondent without complying with the provisions of Sections 34 and 35 of the Registration Act, 1908. The petitioner submitted a representation on 26th May, 2022 in this regard before the concerned authority which is yet to be disposed of.

The petitioner prays for a direction upon the authority to consider the representation at the earliest.

Upon considering the submissions made 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 representation submitted by the petitioner dated 26th May, 2022 within one month from the date of communication of this order after affording reasonable opportunity of hearing to all the interested persons including the petitioner and the private respondents, in accordance with law.

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

It is made clear that this Court has not gone into the merit of the case and the petitioner shall be at liberty to place his contention along with relevant documents before the authority at the time of hearing.

With the above directions, WPA 10131 of 2022 is disposed of. There shall however, be no order as to costs.

Urgent certified website copy of this order, if applied for, be furnished to the parties upon compliance of necessary formalities.

(Suvra Ghosh, J.)