

29.06.2022
Ct. 5
D/L 14
ab

WPA 11203 of 2022

Parag Priya Mallick

-Vs-

The State of West Bengal & Ors.

Mr. Emon Bhattacharya,
Ms. Jally Dey,
Ms. Pooja Sah

... for the petitioner

Mr. Rajarshi Basu,
Mr. S. T. Mina,

... for the State

It appears from Section 76 of The Registration Act, 1908 that a refusal order of Registrar under the said Act shall be recorded containing the reasons for such refusal. Section 76 of the said Act also mentions that an application being made by a person executing or claiming under the document and that the order refusing the registration shall be given to the person without any unnecessary delay. Section 77 of the said Act further provides that upon the refusal by the Registrar to order the document to be registered, a person or his representative may within 30 days after the order of refusal institute a suit for a decree in a civil Court.

The present writ petition does not contain any document which would fulfil the conditions of Section 76 of The Registration Act, 1908, namely, written order of refusal on an application made by the petitioner.

Learned counsel appearing for the petitioner submits that the Registrar made a verbal communication to the petitioner.

Since the writ petition is found to be premature, WPA 11203 of 2022 is dismissed without any order as to costs.

(**Moushumi Bhattacharya, J.**)