

10.01.2022
ITEM NO. 52
Ct. No.13
Saswata

WPA 16382 of 2021
(Via video conference)
Himagshu Sekhar Mondal Roy
-vs-
State of West Bengal & Ors.

Mr. Debasish Das
... for the petitioner

Affidavit of service filed in court is kept with the record.

Respondents are not represented.

The petitioner seeks delivery of an original deed presented for registration.

There is an allegation of forged stamp papers being used. Criminal proceedings are pending.

In such circumstances, it would be appropriate to direct the petitioner to deposit the money equivalent to the stamp duty payable for the purpose of registration with the Registering Authorities. The Registration Authority will keep the amount deposited in a suitable interest bearing fixed deposit with any nationalized bank. Upon such deposit being made the Registering Authorities will issue a certified copy of the deed to the petitioner. This order will not cause any prejudice to the parties in the criminal proceedings. In the event, the Registering Authority is of the view that, the petitioner is guilty of any fraud or forgery, it will be at liberty to take appropriate steps.

W.P.A. 16382 of 2021 is disposed of.

All parties shall act on the server copy of the order duly downloaded from the official website of this Court.

(Rajasekhar Mantha, J.)