

27.09.2022
rc/ct.no.10
Item No.78

WPA No. 22081 of 2022

Mr. S.P.Pahari
Mr. A. Pradhan
Mr. T.K.Mahapatra ...for the petitioners

Mr. Partha Pratim Roy
Mr. Ram Chandra Guchait for the State

Affidavit of service filed in Court today is taken on record.

The predecessor-in-interest of the petitioners purchased the plot in question by virtue of registered deed dated 17.02.1990 and upon demise of the said predecessor, the petitioners approached the office of the Additional District Sub-Registrar for delivery of the deed. The concerned authority refused to hand over the registered deed to the petitioners on the ground that the stamp paper used in the deed was forged. The petitioners seek to deposit the same equivalent of the allegedly forged stamp paper used in the deed before the 2nd respondent within a month from date and pray for direction upon the 2nd respondent to deliver the registered deed of sale to the petitioners upon replacing the genuine stamp paper of the same value in place of the allegedly forged stamp paper.

It is submitted on behalf of the petitioners that the original deed is lying in the office of the 2nd respondent.

Upon consideration of the submission made on behalf of the parties the writ petition is disposed of directing the 2nd respondent to hand over the original deed to the petitioners upon the petitioners depositing the sum equivalent to the allegedly forged stamp paper in the deed.

In the event, the original deed is not available/traceable by the authority, certified copy of the deed be delivered to the petitioners.

Upon receipt of the equivalent amount from the petitioners the 2nd respondent shall deposit the said amount in an auto renewing fixed deposit in a nationalised bank.

The entire exercise shall be completed within two months from the date of communication of this order.

With the above observations and directions this writ petition 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)