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07.03.2022
d.p.

**Calcutta High Court
In the Circuit Bench at Jalpaiguri
Appellate Jurisdiction**

**W.P.A 155 of 2022
(Via Video Conference)**

**Tapas Mondal
-versus
State of West Bengal & Ors.**

**Mr. Prosenjit Mukherjee.
...For the Petitioner.**

**Mr. Hirak Barman,
Ms. Bedashruti Bose.
...For the State.**

The allegation of the petitioner is that his application for cancellation of the registered deed filed on 4th October, 2021 before the Additional District Sub-Registrar, Falakata, Jalpaiguri and the Officer-in-Charge, Birpara North Police Station, Alipurduar has not been taken up for consideration till date.

The application of the petitioner clearly mentions that the deed in question was registered on 25th November, 2013 being Deed No. 2170 of 2013.

The Officer-in-Charge, Birpara North Police Station, Alipurduar has forwarded a report before this Court wherefrom it appears that the matter was enquired and during the enquiry it revealed that the plot in question was in possession of one Sunil Mondal since long which was given by Shibani Mondal. The dispute arose after the death of Megh Lal Mondal who was the owner of the said land which was given by

Shibani Mondal daughter of late Megh Lal Mondal to Sunil Mondal. The petitioner happens to be the grandson of late Megh Lal Mondal.

Presently the petitioner prays for cancellation of the said registered document.

The deed in question was registered long ago. The appropriate authority to cancel the said registered deed will not be the Additional District Sub Registrar, Falakata, Jalpaiguri. Accordingly, the prayer of the petitioner for directing the Additional District Sub-Registrar, Falakata, Jalpaiguri to take a decision with regard to the application filed for cancellation of the registered deed cannot be accepted by the Court.

The report filed by the Officer-in-Charge, Birpara North Police Station, Alipurduar dated 6th March, 2022 before this Court be retained with the record.

The writ petition stands dismissed.

Dismissal of the writ petition will, however, not stand in the way of the petitioner to apply before the competent Court for relief, if so advised.

Urgent certified photo copy of this order, if applied for, be supplied to the parties expeditiously on compliance of usual legal formalities.

(Amrita Sinha, J.)