

03.02.2023

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Sl. No. 04

Ct. No. 05

WPA 541 of 2023

Nikhil Kumar Jana

-Versus-

The State of West Bengal & Ors.

Mr. Debnarayan Patra

.....for the petitioner

Mr. Manas Kumar Sadhu

..... for the State

The petitioner prays for a direction on the respondents for release of a registered deed being No. 4006 of 1990 which is presently in the custody of the ADSR, Contai-I.

Learned counsel appearing for the petitioner relies on orders passed by several coordinate Benches including by this Court on similar facts.

The State is represented.

After considering the orders, the petitioner is directed to put in the cash equivalent to the dues which is payable by the petitioner in respect of the deed presented for registration on 28.05.1990 with the registering authorities. After such deposit is received by the authorities, the deposit shall be kept in an interest bearing Bank account. The authorities will thereafter provide the certified copy of the deed to the petitioner. The aforesaid amount shall be deposited in such account till the investigation is complete and trial is

over. If it is found in the trial that the stamp paper in question was forged, the amount deposited with the registering authority shall be handed over to the appropriate authority namely the State Government. On the other hand, if it is found that the stamp papers were genuine, the amount deposited shall be returned to the petitioner. Since learned counsel appearing for the State is unable to inform the Court of the status of the pending investigation, the concerned Court is requested to conclude the trial as expeditiously as possible and preferably within six months from today.

The instruction of the State is kept on record.

WPA 541 of 2023 is accordingly disposed of in terms of the above.

(Moushumi Bhattacharya, J.)