

21st April, 2023
(D/L No.17)
(SKB)

W.P.A. 1440 of 2022

Subalsakha Jana
Versus
The State of West Bengal and others

Mr. Debnarayan Patra
... for the petitioner.

Sk. Md. Galib,
Mr. Kapil Guha
... for the State.

1. The petitioner prays for a mandamus on the respondents for releasing the registered Deed being Deed No. 4923 of 1990 which is pending with the Sub-Registry Office at Contai.
2. Learned counsel appearing for the petitioner relies on orders passed in similar facts by Co-ordinate Bench of this court.
3. The State respondents are represented.
4. After hearing learned counsel and following the chain of orders passed in similar matters, the petitioner is directed to put in the cash equivalent of the sum due which is payable in respect of the Deed presented for registration in 1990 to the Registering Authorities. After such deposit is received by the Authorities, the deposit shall be kept in an interest-bearing fixed deposit account with any nationalized bank. The Authorities will thereafter provide the certified copy of the Deed to the petitioner.

5. The aforesaid amount shall be kept deposited till the investigation is complete and the trial is over. If it is found in the trial that the stamp papers in question are forged, then the amount so to be deposited with the Registering Authority, shall be handed over to the appropriate authority, viz. the State Government. In the event, it is found that the stamp papers are genuine, the amount so to be deposited shall be returned to the petitioner. The concerned court below will make a serious effort to conclude the trial preferably within a period of six months from today.
6. WPA. 1440 of 2022 is disposed of in terms of the above.

(Moushumi Bhattacharya, J.)