

WPA 4273 of 2023

Subhra Chattopadhyay & anr.
Vs.
The State of West Bengal & Ors.

Adv. Partha Pratim Roy,
Adv. Amal Kumar Saha,
Adv. Iresh Paul,
Adv. Soumyadip Panda,
...for the petitioners.
Adv. Soumitra Bandyopadhyay,
Adv. Subhasis Bandyopadhyay,
...for the State.

Affidavit of service filed by the petitioners is taken
on record.

The petitioners pray for a writ in the nature of mandamus commanding the 3rd respondent to grant mutation in their favour in respect of the property in question. The petitioners submit that all the relevant documents as called for by the concerned authority vide letter issued by them on 7th April, 2022 have been submitted before the authority on 27th January, 2023 despite which no further step has been taken by the authority.

It is submitted on behalf of the respondents that the petitioners may be directed to serve further copies of the relevant documents as called for before the authority within a stipulated time frame in order to enable the authority to consider the prayer of the petitioners.

In view of the above, the writ petition is disposed of with liberty to the petitioners to submit the relevant documents as called for by the concerned respondent vide letter dated 7th April, 2022 within seven days from date. Since it is submitted on behalf of the petitioners that the certified copy of the probate has already been submitted before the authority, the petitioners may submit photocopy of the said certified copy before the authority.

The concerned authority, being the 3rd respondent herein, is directed to consider the said documents submitted by the petitioners and dispose of the application for mutation submitted by the petitioners on 18th February, 2021 within six weeks from the date of receipt of the documents upon affording reasonable opportunity of hearing to all the interested persons including the petitioners, in accordance with law.

The decision taken by the authority shall be communicated to the petitioners within a week thereof.

With the aforesaid directions, WPA 4273 of 2023 is disposed of.

There shall however, be no order as to costs.

Since no affidavit in opposition 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 on usual undertakings.

(Suvra Ghosh, J.)