

June 06, 2023
(20) ARDR

WPA 10090 of 2023

Dilip Kumr Pal Chowdhury & anr.
Vs.
The State of West Bengal & ors.

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

Heard learned counsels for the parties.

The plot in question being plot no.13, Block AJ, Sector-II, Salt Lake, Kolakta – 700 091 was allotted in favour of one Dwijadas Pal Chowdhury, since deceased, vide deed of lease for a period of 999 years and after demise of the original lessee on 8th June, 2016, the petitioners being his sons, stepped into his shoes. The wife of the original lessee predeceased him on 18th November, 2007. The petitioners submitted an application for mutation before the Land Manager, Bidhannagar, Department of Urban Development and Municipal Affairs, Government of West Bengal on 11th September, 2019 which has not been considered as yet. The petitioners pray for a direction upon the concerned authority to consider the said application and grant mutation in their favour in respect of the plot in question.

It is submitted on behalf of the respondents that the 3rd respondent be directed to consider the application in accordance with law.

In view of the above the writ petition is disposed of directing the 3rd respondent to consider and dispose of the application submitted by the petitioners dated 11th September, 2019 and consider grant of mutation in their favour within four weeks from the date of communication of this order upon affording reasonable opportunity of hearing to the petitioners/their authorised representatives, 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 10090 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.)