

D/L. 6.
June 21, 2023.
MNS.

WPA No. 13415 of 2023

Gobardhan Ghorai
Vs.
The State of West Bengal and others

Mr. Debnarayan Patra

... for the petitioner.

Affidavit-of-service filed in Court today be
kept on record.

Despite service, none appears on behalf of
the respondents.

Learned counsel appearing for the
petitioner submits that the Registering Authorities
are not registering the petitioner's document on
the ground that the stamp paper, on which the
same was embossed, was forged. However,
since the petitioner is willing to put in the amount
equivalent to the original stamp duty imposed, it
is submitted that the registration process may be
completed upon giving opportunity to deposit
such amount. In support of such submissions,
learned counsel places reliance on a judgment of
this Court dated February 12, 2020 passed in
W.P. 777(W) of 2020.

It is seen from the said order that in similar circumstances, an order as prayed for here by the petitioner was passed.

In any event, since the petitioner is willing to put in the amount equivalent to the original stamp duty and the grievance of the respondent-authorities is that the original stamp paper was forged, the dispute could at best pertain to revenue which is to be earned by the State. Such problem can be alleviated if the petitioner is directed to put in the amount equivalent to the original stamp duty.

Accordingly, WPA No. 13415 of 2023 is disposed of by directing the petitioner to deposit the amount equivalent to the stamp duty originally imposed on the deed-in-question, being the Deed of Sale bearing No. 3188 for the year 1990, lying in the Office of the Registering Authority, being the respondent no. 4, within a fortnight from date.

Immediately after such deposit with the respondent authorities, the latter shall undertake the process of registration of the document-in-question and complete the same as expeditiously and in accordance with law, positively within one month thereof. Immediately thereafter, the

registered deed shall be handed over by the respondents to the petitioner.

There will be no order as to costs.

Urgent photostat certified copies of this order, if applied for, be made available to the parties upon compliance with the requisite formalities.

(Sabyasachi Bhattacharyya, J.)