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05.07.2023
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IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION
APPELLATE SIDE

W.P.A. No. 14253 of 2023

Dhurjati Das
Vs.
The State of West Bengal & Ors.

Mr. Siddhartha Ghosh
...for the petitioner

Mr. Arindam Mondal
...for the State-respondents

An adjournment is sought on behalf of the petitioner's counsel. However, in view of the order proposed to be passed, such prayer for adjournment is refused.

Learned counsel appearing for the State, in his usual fairness and on instruction, submits that there is no further impediment in handing over the registered document to the petitioner apart from the fact that the stamp papers, which were a part of the said deed, were found to be forged.

The writ petitioner had indicated on the last occasion when the matter was taken up for hearing, and also in the writ petition, that the petitioner is agreeable to furnish the requisite amount equivalent to the price of the stamp papers for the purpose of getting back the registered document.

In such view of the matter and in view of the fair stand taken by the State, W.P.A. No. 14253 of 2023 is disposed of by directing the petitioner to deposit stamp papers equivalent to the value of the forged stamp papers, which were used for printing the deed-in-question in the first place.

Upon deposit of such equivalent value of stamp papers, the respondent-authorities shall immediately take steps for handing over the registered document to the petitioner.

It is expected that the said document shall be handed to the petitioner over within a week from the date of deposit of the amount equivalent to the forged stamp papers by 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 of all necessary formalities.

(Sabyasachi Bhattacharyya, J.)