

AD-17
Ct No.09
28.06.2023
TN

WPA No. 14556 of 2023

Sri Rathindranath Mukherjee
Vs.
State of West Bengal and others

Mr. Animesh Paul,
Ms. Haardikaa Rajdev

.... for the petitioner

Mr. Rajarshi Basu,
Ms. Rupsha Chakraborty

.... for the State

Learned counsel for the petitioner submits that the petitioner seeks to cancel a deed previously executed by him which, in any event, the petitioner is entitled to cancel under the law. However, the registering authorities are refusing to register such cancellation deed, for which the present writ petition has been preferred.

Learned counsel appearing for the State-respondent contends that the petitioner has a remedy under the concerned statute to go up in appeal in the event any refusal took place. In any event, it is submitted, there is nothing on record to show that the registering authorities have refused to register the deed in any manner whatsoever.

It is seen from the annexure to the writ petition that certain representations have been given by the

petitioner. However, mere representations do not suffice insofar as the procedure regarding registration is concerned. In the event the petitioner seeks to register the document-in-question, the same has to be presented before the registering authorities in due course of law.

Accordingly, WPA No. 14556 of 2023 is disposed of by granting liberty to the petitioner to present the document-in-question for registration in due process of law before the appropriate registering authority. If so presented, the said authority shall process the said application of the petitioner for registration and take a decision in accordance with law thereupon. Such exercise, it is expected, shall be undertaken as expeditiously as possible and shall be concluded preferably within three weeks from the date of making such application 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 with the requisite formalities.

(Sabyasachi Bhattacharyya, J.)