

12.05.2023
(D/L No.10)
(sayandeep)

W.P.A. 21436 of 2022

Sri Alok Sarkar & ors.
Versus
The State of West Bengal and others

Ms. Soma Roy Chowdhuri
Ms. Payel Khanra

... for the petitioners

Mr. Debjit Mukherjee
Ms. Susmita Chatterjee

... for the State

1. The petitioners pray for a mandamus on the respondents for releasing the registered Deed being Deed No. 5103 of 1990 which is pending with the Additional District Sub-Registrar at Hattathganj, P.S. Swarupnagar, North 24 Parganas.
2. Learned counsel appearing for the petitioners relies on orders passed in similar facts by Co-ordinate Bench of this court.
3. The State respondents are represented.
4. After hearing learned counsel and following the chain of orders passed in similar matters, the petitioners are directed to put in the cash equivalent of the sum due which is payable in respect of the Deed presented for registration in 1990 to the Registering Authorities. After such deposit is received by the Authorities, the deposit shall be kept in an interest-bearing fixed deposit account with any nationalized bank. The Authorities will thereafter

provide the certified copy of the Deed to the petitioners.

5. The aforesaid amount shall be kept deposited till the investigation is complete and the trial is over. If it is found in the trial that the stamp papers in question are forged, then the amount so to be deposited with the Registering Authority, shall be handed over to the appropriate authority, viz. the State Government. In the event, it is found that the stamp papers are genuine, the amount so to be deposited shall be returned to the petitioners. The concerned court below will make a serious effort to conclude the trial preferably within a period of six months from today.
6. WPA. 21436 of 2022 is disposed of in terms of the above.

(Moushumi Bhattacharya, J.)