

October 17, 2023

ARDR (21)

WPA 2048 of 2023

Nem Kumar Daga

Vs.

The State of West Bengal & ors.

Adv. Bikash Singh,

..for the petitioner.

Adv. Pretam Das,

...for the State.

The instant writ petition has been filed by the writ petitioner with a prayer for direction commanding the concerned respondent authorities each one of them, their men, agents, servant, subordinates and/or assigns to forthwith consider and dispose of the representation as expeditious disposal of the objection petition dated 6/8/2023 made by the petitioner through his learned advocate in accordance with law.

It is the contention of the petitioner that he became owner of the land measuring an area of 17 katas situated and lying in Mouza Binnaguri, sheet no.1 comprised in R.S. and L.R. plot no. 5, R.S. Khatian no. 667, corresponding to L.R. khantian no. 183 from one Mohan Chettri, son of Man Singh Chettri by way of purchase through a deed of conveyances being no. I-2399 and I-2401 both dated 10th March, 2021 and the same was registered before the office of Additional District Sub-Registrar, Bhaktinagar, District Jalpaiguri. But it came to the knowledge of the petitioner that erroneously the name of the respondent was recorded in

the said plot. For that reason he made a representation by way of objection petition before the respondent no.2, BL&LRO, Rajganj, District Jalpaiguri on 6/8/2023 but the same has not been considered as yet. It also appears from the record that the name of the erstwhile owner appearing in the L.R. ROR from whose legal heirs the present petitioner purchase the land in question.

In view of the facts, it would be appropriate to direct the respondent no. 2 BL & LRO, Rajgang, District Jalpaiguri to consider his representation/objection petition dated 6/8/2023 within eight weeks from the date of communication of this order after giving reasonable opportunity being heard to the petitioner, or his authorized representative as well as all the interested persons including the private respondent no.3 in accordance with law.

It is made clear that the observation made hereinabove shall not be stand in the way to decide the matter in its own merit in accordance with law.

With the above observations, the writ petition is disposed of.

There shall be, however, no order as to costs.

Since no affidavit exchanged between the parties the allegations contained in the writ petition are deemed not to have been admitted by the respondents.

Urgent certified website copy of this order, if applied for, be furnished to the parties upon compliance of necessary formalities.

(Ajay Kumar Gupta, J.)