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27.03.2024
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IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION
APPELLATE SIDE

W.P.A. No. 547 of 2024

Canara Bank
Vs.
Kolkata Metropolitan
Development Authority & Anr.

Ms. Aparajita Rao
...for the petitioner

1. Despite service, none appears for the respondents.
2. Affidavit of service filed today be kept on record.
3. The petitioner entered into a 99 years lease deed with the respondents in the year 1987.
4. Even after all the payments were made, it is argued that the deed was not registered by the respondents.
5. Learned counsel contends that since the lease deed is one of 99 years, the same is compulsorily registrable and, as such, title did not pass properly in favour of the petitioner in view of non-registration of the same due to non-cooperation by the respondents.
6. On the insistence of the respondents, the petitioner repeatedly reiterated that it had paid all the amounts and subsequently executed an indemnity to that effect as well. At page 51 of the writ petition, the detailed break up with

reference numbers have been given in respect of the full payment being made by the petitioner-Bank. However, it is complained that till date no registration has been effected by the respondents.

7. In view of the annexures to the writ petition, this Court is satisfied that the petitioner has made out a good case for having the deed of lease registered in favour of the petitioner by the respondents in terms of the agreement between the parties.
8. Hence, W.P.A. No. 547 of 2024 is disposed of by directing the respondent no. 2 to ensure that the deed of lease entered into by the petitioner and the respondents in the year 1987 is registered before the appropriate Registering Authorities.
9. It is made clear that the petitioner shall pay the registration costs.
10. However, upon a communication of this order being made to the respondent-authorities, the respondent-authorities, within an outer limit of four weeks after such communication being made, shall intimate to the petitioner the exact date and time when the registration shall be effected in presence of the designated officers of the respondents and in presence of the designated agent of the petitioner.

11. Such registration shall be concluded within an outer limit of a fortnight thereafter.
12. Parties shall act on the server copy of this order for compliance.
13. There will be no order as to costs.
14. 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.)