

14.03.2024
Item No.05
RP
Ct. No.1

WPA(P) 90 of 2024

Sri Subhash Mitra

Vs.

The State of West Bengal & Ors.

Mr. Sanajit Kumar Ghosh

Mr. Raja Ghosh

.....for Petitioner

Mr. Jaydip Kar, Sr. Adv.

Ms. Rituparna Chatterjee

Ms. Khusbool Chowdhury

.....for Respondent Nos.15 to 42

1. We have heard the learned advocates appearing for the petitioner for a considerable length of time. At the outset we need to point out that prayer (a) sought for in the writ petition to declare the deed of conveyances registered as per the provisions of the Registration Act and duly stamped under the provisions of Indian Stamp Act is not maintainable.
2. The case of the petitioner is that vested lands have been sold out. In any event, the prayer for declaration of sale deeds as void ab initio cannot be done in a writ proceeding, more so, in a public interest litigation.
3. The learned advocate for the petitioner pointed out that prayer (e) of the writ petition may be considered. It is to be pointed that if prayer (a) is not granted then prayer (e) does not arise. The

prayers sought for in the writ petition are not maintainable. Therefore, this writ petition is dismissed as not maintainable.

4. We have made it clear we have not examined the merits of the matter and it is well open to the petitioner to move to the appropriate forum for necessary relief.

(T. S. SIVAGNANAM)
CHIEF JUSTICE

(HIRANMAY BHATTACHARYYA, J.)