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25.06.2024
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IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION
APPELLATE SIDE

W.P.A. No. 14894 of 2024

Siddheswar Das & Ors.
Vs.
The State of West Bengal & Ors.

Mr. Nirmalendu Patra
Mr. Debnarayan Patra
...for the petitioners

Mr. Sk. Md. Galib
Mr. Abu Siddique Mallick
...for the State

The petitioners pray for a mandamus directing release of the registered deed being no. 3467 of 1990, which is lying with the Sub Registry Office at Contai, Purba Medinipur. The petitioners also rely on various orders passed by the different Coordinate Benches.

The State-respondents are represented and submits that they have no objection if the reliefs as prayed for are granted.

After hearing counsel on behalf of the parties and in view of the different orders passed in WPA 15128 of 2023 (*Shyamapada Pramanik & Anr. Vs. The State of West Bengal & Anr.*), W.P. No. 4389(W) of 2017 (*Manik Kumar Das & Anr. Vs. The State of West Bengal & Ors.*), WPA 7093 of 2022 (*Subal Chandra Pradhan & Ors. Vs. The State of West*

Bengal & Ors.), WPA 21824 of 2023 (*Smt. Chhabi Rani Pradhan Vs. The State of West Bengal & Ors.*) and FMA 200 of 2010 respectively, the petitioners are granted liberty to put in the cash equivalent to the dues which payable in respect of the Deed presented for registration 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. 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 namely the State Government. In the event, it is found that the stamp papers are genuine, obviously the amount so directed to be deposited, shall be returned to the petitioner.

The concerned Trial Court wherein the criminal proceedings are pending, is directed to make a serious effort to conclude the trial within a period of six months from date.

With the aforesaid direction, WPA 14894 of 2024 stands disposed of.

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

(Ravi Krishan Kapur, J.)