

19.06.2024
Court No.13
Item No.77
BD/SB

WPA 15567 of 2024

**Asha Kanu
Versus
The State of West Bengal & Ors.**

Mr. Jyoti Prakash Chatterjee
...For the petitioner.
Ms. Biswabrata Basu Mallick
Mr. Biman Halder
... for the respondent no. 6 to 8
Mr. Ansar Mondal
Ms. Somashree Dey
... For the State.

1. The petitioner is aggrieved by the communication issued by the office of the learned Additional Judicial Magistrate, Barrackpore, North 24 Parganas expressing inability to provide her with the certified copy of a decree passed in MAT Suit No. 687 of 2009.
2. The petitioner applied for certified copy for the first time in the year 2024.
3. The petitioner claims that the decree was passed on 9th January, 2013.
4. The ACJM, in his communication dated 1st February, 2024 to the petitioner has stated that the records are not traceable. After transfer of the Court to the ADJ, 3rd Court at Barrackpore, records of MAT Suit No. 687 of 2009 had been transferred to ADJ, 3rd, Court at Barrackpore. Records may

have been misplaced in view of the change of premises of the District Court at Barrackpore.

5. Mr. Basu Mallick, learned counsel for the District Judiciary submits that the records have now been traced out.
6. In view of the above circumstances, the petitioner shall approach her learned advocate who may inspect the record of MAT Suit No. 687 of 2009 by tomorrow.
7. The petitioner shall be entitled to apply for certified copy of the records and proceedings of the case file of MAT Suit No. 687 of 2009 within a period of three days thereafter. The same shall be supplied to the petitioner by the Barrackpore Court within a period of seven days of such application.
8. With the aforesaid observations, the instant writ petition shall stand disposed of.
9. There will be no order as to costs.
10. All parties are directed to act on a server copy of this order duly downloaded from the official website of this Court.

(Rajasekhar Mantha, J.)