

01.10.2024
Item No. 10
(SSS)

In the High Court at Calcutta
Constitutional Writ Jurisdiction
Appellate Side

WPA 18620 of 2024

Balak Murmu
Vs.
The State of West Bengal and Ors.

Mr. Subhabrata Datta,
Mr. Subhojit Seal,
Mr. Debashis Sarkar,
Mr. Ajoy Chowdhury, Advs.
.....For the Petitioner.

Mr. Chandi Charan De,
Ld. Additional Govt. Pleader,
Mr. Anirban Sarkar , Advs.
.....For the State Respondents.

The petitioner belongs to scheduled cast community owns a land. Subsequently, he intends to sell the land to a third party and he has also executed an **Agreement for Sale at Page 64** to the writ petition. The petitioner then in the statutory format being **Annexure P4 at Page 78** to the writ petition sought for permission from the State authority to complete the sale of the subject land in favour of the intending purchaser in accordance with law. The said application has not yet received any attention.

Mr. Subhabrata Datta, learned Advocate appears for the petitioner.

Mr. Chandi Charan De, learned Additional Government Pleader appears for the respondents.

Considering the submissions made on behalf of the parties and upon perusal of the materials on record, the petitioner shall serve a copy of this writ petition upon the Respondent No. 6 forthwith.

The Respondent No. 6 then upon issuing a prior hearing notice of at least seven days to the petitioner and after granting him an opportunity of hearing shall decide the said application **Annexure P-4 at Page 78** to the writ petition by passing a reasoned order in accordance with law.

The entire exercise shall be carried out and completed by the Respondent No. 6 positively within a period of **8 weeks** from the date of communication of this order. The reasoned order shall be communicated to the petitioner within a further period of **one week** from the date of the said reasoned order to be passed.

It is made clear that the petitioner shall be at liberty to produce all the documents and papers before the Respondent No. 6 during the hearing.

It is further made clear that this order shall not create any right or equity in favour of the petitioner if the petitioner is not eligible to receive his claim strictly in accordance with law.

Since affidavits are not called for, the allegations made in this writ petition are deemed not to have been admitted by the respondents.

This court has not gone into the merits of the writ

petition.

With the above observations and directions, this Writ Petition **(WPA 18620 of 2024)** stands disposed of, without any order as to costs.

[Aniruddha Roy, J]