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W.P.A. 17974 of 2023

(Mrinal Kanti Dey vs. State of West Bengal & Ors.)

Mr. Soumen Dutta

Mr. Sabyasachi Bhattacharjee

... For the Petitioner

Mr. Soumitra Bandyopadhyay

Ms. Suchana Banerjee

... For the State

Having migrated from East Pakistan sometime in 1950, the petitioner's grand father was in occupation of the plot in question under the refugee quota and the said occupier and his successor constructed a residential house therein. The petitioner is in possession of the plot in question till date as legal heir of the original occupier. The petitioner's grand father applied before the authority for grant of *patta* in respect of the said plot in his favour since other persons occupying adjacent lands and similarly circumstanced with him have already been granted *pattas* by the authority. The said application not being heeded to, the petitioner submitted a fresh application requesting issuance of *patta* in his favour on 27th June, 2023 which has also not been considered. The petitioner prays for a direction upon the authority to consider the application at the earliest.

Learned counsel for the respondents submits that the third respondent be directed to consider the application in accordance with law.

In view of the above, the writ petition is disposed of directing the third respondent to consider and dispose of the application submitted by the petitioner dated 27th June, 2023 within two months from the date of communication of this order upon affording reasonable opportunity of hearing to all concerned including the petitioner, in accordance with law. The third respondent shall be at liberty to delegate the authority for consideration of the application to the appropriate authority as he may deem fit and proper.

The decision taken by the authority shall be communicated to the petitioner within a week thereof.

There shall be no order as to costs.

Since no affidavit has been invited, allegations contained in the writ petition shall be deemed not to have been admitted.

Urgent certified website copy of the order, if applied for, be given to the parties on compliance of requisite formalities.

(Suvra Ghosh, J.)