

11.11.2024
Item No.51
RP
Ct. No.7

WPA 20103 of 2022
Aniruddha Ghosh
Vs.
The State of West Bengal & Ors.

Mr. Kushal Chatterjee
Mr. Mohan Lall Banerjee
Mr. Oishik Chatterjee
..... for Petitioner
Mr. Santanu Kumar Mitra
Ms. Jyotsna Roy Mukherjee
..... for State

1. The report of the Additional District Sub-Registrar, Sealdah is taken on record. A copy of such report has been furnished to the learned advocate for the petitioner.
2. The petitioner has prayed for issuance of a writ of mandamus commanding the respondent authorities to dispose of the application of the petitioner dated 17th February, 2022 and to provide the certified copy of the deed dated September 12, 1964.
3. Learned advocate appearing for the petitioner submits that the petitioner has applied for a certified copy of the aforesaid deed. However, the certified copy of the said deed has not yet been supplied to the petitioner.
4. From the said report it appears that a searching committee was formed for tracing the Volume in

question as well as the concerned Index II register (property register) and the said searching committee duly submitted its report and confirmed the fact of non-tracing out of the relevant volume of the office record. The said report further states that a General Diary to that effect was registered with Entally Police Station, being GD No.1099 of 13.10.2022, intimating the fact that Volume No.46 of 1964 as well as the concerned Volume related to Index II of 1964 has not yet been traced out from the office records as yet. In view thereof, no positive direction can be passed by this Court directing supply of the certified copy of the deed in question.

5. The petitioner has prayed for a direction upon the authorities to reconstruct the records on the basis of the photocopy of the deed, which has been annexed to the said writ petition. The veracity of the said photocopy of the deed cannot be decided by the authority concerned in absence of the original deed.
6. In view of the aforesaid, no positive direction can be passed by this Court directing the authorities to reconstruct the Volume copy on the basis of the photocopy of the deed which has been annexed to this writ petition. It will be open to the petitioner to take appropriate steps to prove the veracity of the

said photocopy deed in question in the manner known to law.

7. With the above observation, this writ petition stands disposed of without any order as to costs.
8. Urgent Photostat certified copy of this order, if applied for, be delivered to the learned advocates for the parties. Upon compliance of all formalities.

(HIRANMAY BHATTACHARYYA, J.)