

25.09.2024
Court No.09
Item no.41
CP

WPA No. 27454 of 2022

Sri Chandan Hazra
Vs.
The State of West Bengal & ors.

Mr. Partha Pratim Roy
Mr. Dyutiman Banerjee
....for the petitioner.

Mr. Soumik Ganguly
Mr. Lalratan Mondal
Mr. Dilip Kumar Sadhu

.....for the respondent no. 4.

The District Registrar, Purba Burdwan, shall dispose of the representation of the petitioner which is at page 11 of the writ petition, upon hearing the petitioner as also the respondent no. 4.

Special reference shall be made to the office order dated January 17, 2020, issued by the Principal Secretary & Land Reforms Commissioner, Land & Land Reforms and Refugee Relief and Rehabilitation Department. The said order is quoted below:-

‘There are reports of attempts to get names recorded in the ROR by furnishing fake or forged deeds. These allegations should be taken seriously.

Immediately on receipt of such information, through written complaints or otherwise, BL&LRO shall refer the matter to the registration authority concerned. Once confirmation is received from the registration authority that the deed is fake or forged, penal action shall be initiated against the wrongdoer by lodging FIR with the local police station.

BL&LRO shall also cancel the mutation proceedings initiated on the basis of the forged/fake document. If mutation is already done, the same shall be treated as void-ab-initio and BL& LRO shall, on application or on his own motion, promptly restore the record to its original position under section 50(1)(f) of the WBLR Act.

Under no circumstances, the affected person shall be advised to file appeal under section 54 of the WBLR Act as that would only aggravate the suffering of the actual raiyat who has already been victimised by the misdeeds of someone else. Moreover, such rectification of record does not necessitate invocation of Section 54 of the WBLR Act.

BL&LRO must keep the higher authority informed about all such allegations and actions taken thereto.'

A reasoned order shall be passed and communicated to the petitioner.

This court has not gone into the merits of the claims and counter-claims of the parties. All the issues raised by the petitioner shall be decided in the said proceeding.

The writ petition is accordingly disposed of.

There shall be no order as to costs.

Parties are directed to act on the basis of the server copy of this order.

(Shampa Sarkar, J.)