

M/L. 26.
January 8, 2024.
MNS.

WPA No. 28154 of 2023

Bikash Chandra Datta
Vs.
The State of West Bengal and others

Mr. Tanmay Chowdhury,
Ms. Ritoprita Ghosh

... for the petitioner.

Sk. Md. Galib,
Mr. Tamal Taru Panda

...for the State.

Mr. Arka Tilak Bhadra

...for the respondent no. 5.

1. Affidavit-of-service filed in Court today be kept on record.
2. The petitioner has filed a civil suit challenging a purported gift deed executed by the petitioner in favour of respondent no. 5. Although the said suit is pending, the petitioner detected that subsequently, alleged further transfers were made by respondent no. 5 in favour of third parties.
3. It is argued that the said purported transfers are fake. The respondent no 6, it is argued, is the kingpin of a racket, which is operating with

regard to such cases, for execution of fake deeds and registration of those.

4. Learned counsel appearing for the respondent no. 5 submits that the respondent no. 5 had nothing to do with the purported transfer deeds executed by the respondent no. 5 in favour of third parties. Rather, three criminal complaints have been lodged by the respondent no. 5 against the petitioner for the involvement of the petitioner in such forgery.
5. Be that as it may, the petitioner now seeks an enquiry by the respondent no. 2, that is, the Inspector General of Registration and Commissioner of Stamp Revenue on the complaints specifically lodged by the petitioner by way of the representations which are annexed to the present writ petition.
6. Since the issue is larger than the allegations *inter se* between the petitioner and the respondent no. 5, which will be dealt with in the pending criminal complaints and civil cases, it is the incumbent duty of the respondent no. 2 to look into the issue and come to a conclusion thereon.
7. Accordingly, WPA No. 28154 of 2023 is disposed of by directing the respondent no. 2,

that is, the Inspector General of Registration and Commissioner of Stamp Revenue to enquire into the complaints made by the petitioner by way of the representations annexed to the present writ petition. If necessary, the respondent no. 2 shall give an opportunity of hearing on all concerned, including the petitioner and the respondents, while doing so. Upon such enquiry being conducted, the respondent no. 2 shall take appropriate steps in consonance with the outcome of such enquiry.

8. It is expected that such enquiry shall be concluded at the earliest, preferably within two months from the date of communication of this order to the respondent no. 2.
9. It is made clear that nothing in this order shall prejudice or influence in any manner the outcome of the pending civil suit at the behest of the petitioner against the respondent no. 5 and/or the criminal complaints lodged by respondent no. 5 against the petitioner.
10. The merits of the claims and counter claims made herein are not gone into by this court and since no affidavits have been directed, it is deemed that none of the allegations made

in the writ petition have been admitted by any
of the respondents.

11. There will be no order as to costs.

12. Urgent photostat certified copies of this order,
if applied for, be made available to the parties
upon compliance with the requisite formalities.

(Sabyasachi Bhattacharyya, J.)