

04.01.2024
Item No.6
gd/ssd

WPA/2881/2023

BHASKAR SARKAR @ VASKAR SARAkar & ANR.
VS
STATE OF WEST BENGAL & ORS.

Mr. Bikramaditya Ghosh,
Ms. Supriya Singh
..for the petitioners.

Mr. Hirak Barman,
Mr. Bikash Singha
..for the State.

The petitioners have prayed for correction of wrong recording in the record of rights.

The petitioner claims that they have acquired right, title and interest in respect of RS Dag No.734 within Mouza Kharia under Kotowali P.S. in the District of Jalpaiguri by virtue of gift deeds executed in their favour by their respective predecessor-in-interest. Mr. Ghosh submits that the revenue authorities instead of recording the name of the petitioners in respect of LR Dag No.106 have erroneously recorded the same under LR plot NO.47. He submits that a direction may be passed upon the Director, Directorate of Land Records and Revenue and surveys being the 2nd respondent to decide as to whether the RS Plot No.734 corresponds to LR Dag NO.106 or LR Dag No.47.

Learned Advocate appearing for the State submits that LR Dag No.106 corresponds to RS Dag Nos.4/169 and 4/3380 and not RS Dag No.734.

Upon going through the materials on record, this Court finds that no representation raising such a dispute has been made by the petitioners before the 2nd respondent.

In view thereof, no direction can be passed upon the 2nd respondent in this writ petition. The petitioner is left free to approach the competent authority making a representation annexing documents in support of his claim and if such representation is made the competent authority shall decide the same in accordance with law.

With the above observations and direction this writ petition stand disposed of.

Affidavit of service filed in court today is taken on record.

(HIRANMAY BHATTACHARYYA, J.)