

01.05.2025
(D/L 10)
Ct.-19
(Susanta)

W.P.A. 3541 of 2025

M/s. Dutta Enterprise & Anr.
-Vs-
The State of West Bengal & Ors.

Mr. Sandip Ray,
.... For the Petitioners.

Mr. Bibek Jyoti Basu,
Mr. Akash Duta,
.... For the State.

1. At the time of hearing, Mr. Ray, learned advocate appearing on behalf of the writ petitioner draws the attention of this Court to page no. 54 of the instant writ petition being a reply dated 20.02.2023 as issued by the S.P.I.O & Special Land Acquisition Officer, South 24-Parganas whereby and whereunder it has been informed to the writ petitioner that C.S. Plot no. 985 and 986 in Mouza Maheshtala, JL. No. 05, P.S. Mahestala are found to be involved in connection with LA 4/48 of 63-64 for Housing Scheme.

2. It is submitted by Mr. Ray that on account of furnishing of such information the writ petitioner faced difficulty in mutating his name by dint of the deed of purchase dated 30.01.2019 which is why the writ petitioner has made a representation under cover of a

letter dated 27.01.2025 before the respondent no. 3 authority.

3. It is thus submitted by Mr. Ray that an appropriate writ/writs be issued against the respondent authorities to consider such representation dated 27.01.2025 in accordance with law.
4. Per contra, learned advocate appearing on behalf of State-respondent in course of his submission has filed a report dated 16.04.2025 as prepared by respondent no. 3 authority herein.
5. Learned Counsel appearing on behalf of the State in course of his submission draws the attention of this Court to annexure A-2 of the said report dated 16.04.2025. It is submitted that under cover of a letter dated 16.04.2025 a corrigendum to the earlier letter dated 20.02.2023 was issued indicating the following:-

“With reference to the above subject this is to inform that initially CS plot 985 and 986 of Mouza Maheshtala was affected in LA 4/48 of 1963-64 for Development Project by Department of Housing. Subsequently, these plots were made excluded from acquisition proceeding by publication of

cancellation notification in January 13, 1969 vide No. 940-La/1G-36/64 – 13th January, 1969.

The letter issued on 20.02.2023 vide memo no. mentioned above is hereby cancelled.”

6. It is placed on record that in course of hearing, a copy of such report was also served upon Mr. Ray, learned advocate for the petitioner.

7. On careful consideration of letter of corrigendum dated 16.04.2025 it appears to this court that it has been specifically stated by the respondent no. 3 that in respect of CS Plot No., 985 and 986 at Mouza Maheshtala were excluded from acquisition proceeding by publication of a cancellation notification dated 13.01.1969. In view of such issuance of letter of corrigendum dated 16.04.2025, this Court considers that there is nothing to be decided in the instant writ petition.

8. Before parting it is made clear that in the event, the writ petitioner makes any application for mutating his name in respect of CS Plot No. 985 and 986 of Mouza Maheshtala with the jurisdictional BL&LRO, he shall consider the same in accordance

with law after giving an opportunity of hearing to the writ petitioner and/or his authorized representative and shall pass a reasoned order and shall communicate the same to the writ petitioner forthwith.

9. It is made clear that the entire exercise is to be completed within ninety working days from the date of making such application.

10. With the aforementioned observation the writ petition is disposed of.

11. Urgent photostat certified copy of this order, if applied for, be supplied to the parties subject to compliance with all requisite formalities.

(Partha Sarathi Sen, J.)