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2025

MONDAY

Court : CB-07
Item : DL-02
Bench : SINGLE
Matter : WPA
Status : DO
ID : 266057
AR : NANDY

IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION
APPELLATE SIDE

WPA 2695 OF 2020

DILIP KUMAR NANDI
VS.

THE STATE OF WEST BENGAL & ORS.

MR. SIDDHARTHA RUJ, ADVOCATE

.....for the Petitioner

1. Despite service, none appears on behalf of the respondents.
2. The petitioner respectfully prays for a direction upon Respondent No. 2 to permit inspection of, and to furnish a certified copy of, Sale Deed No. 10012 of the year 1961, recorded in Book No. 1, Volume 108, at Pages 81 and 82, upon payment of the requisite statutory fees by the petitioner.
3. Mr. Siddhartha Ruj, learned Advocate appearing for the petitioner, submits that a piece of land comprising L.R. Dag No. 1061, L.R. Khatian No. 123, J.L. No. 093, Mouza Debipur, under Block, Office, and P.S. Ilam Bazar, District – Birbhum, devolved upon the petitioner upon the demise of his father. He further submits that the said piece of land was duly recorded in the R.S. Record of Rights in the name of the petitioner's father and was subsequently recorded in the L.R. Record of Rights in his father's name as well.
4. However, the concerned Block Land and Land Reforms Officer, relying on Sale Deed No. 10012 of the year 1961, altered the entries in the L.R. Record of Rights and recorded the name of an unknown person, without affording the petitioner any opportunity of hearing.
5. In order to ascertain the actual facts, particularly whether any title in respect of the said land was transferred by virtue of the said deed, the petitioner

promptly approached the District Sub-Registrar with a request for permission to inspect the sale deed, along with a further prayer for issuance of a certified copy thereof upon completion of all requisite formalities, including payment of the prescribed fees.

6. However, despite receiving the petitioner's application, no effective steps have been taken by the authorities. These incidents have compelled the petitioner to file the present petition.
7. Mr. Ruj further submits that, by virtue of the said deed, it is alleged that the petitioner's father transferred the said plot of land in favour of an unknown person. Accordingly, the petitioner seeks to peruse the recitals of the said deed in order to ascertain whether any such transaction ever actually took place.
8. Having heard the submissions made on behalf of the petitioner and upon perusal of the records, this Court directs the District Sub-Registrar, Birbhum, to take an appropriate decision on the petitioner's application dated 27.12.2020, after affording the petitioner an opportunity of hearing, in accordance with law.
9. It is clarified that if the Registrar concerned finds merit in the petitioner's claim, the subsequent actions shall be taken by the District Sub-Registrar, which may include the issuance of a certified copy of the sale deed. If the Registrar concerned finds that the petitioner's claim is without merit, a reasoned order shall be passed and communicated to the petitioner forthwith.
10. The entire process shall be completed within a period of eight weeks from the date of receipt of this order.
11. It is further clarified that I have not addressed the merits of the claim raised by the petitioner in the writ petition. All issues are left open to be decided at the time of considering the petitioner's representation.
12. With these observations and order, the writ-petition

being **WPA 2695 of 2020** is **disposed of**.

(PARTHA SARATHI CHATTERJEE, J.)