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17.09.2025
Court No.14
AGM

IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION

WPA 4453 of 2023

Sri Dulal Kumar Dutta.
Vs.
State of West Bengal & Ors.

Mr. Partha Chakraborty.
... For the petitioner.

Mr. S. Sengupta.
Mr. Ayan Chakraborty.
...For the respondent no. 3.

Mr. Nilotpal Chatterjee.
Mr. Amritlal Chatterjee.
... For the State.

1. The petitioner is occupying a flat allotted in his favour by the West Bengal Housing Board. Certain amount is due and payable on account of part consideration amount.
2. The petitioner made an application before the Certificate Officer denying the demand of dues payable by the petitioner. The said application is pending consideration for a considerable period of time.
3. The petitioner approached this Court earlier by filing writ petition being WPA 23938 of 2009 (CAN 2 of 2021) which stood disposed of on 27th July, 2021 by directing the Certificate Officer to decide the application made by the petitioner under Section 9 of the West Bengal Public Demands Recovery Act, 1913 within a stipulated time period. The time

period fixed by the Court for disposal of the said application expired long back.

4. The stand of the petitioner that he is not liable to pay the amount mentioned in the certificate remains unadjudicated.
5. Learned advocate representing the State respondents is not ready with proper instruction.
6. As it appears that there is already a direction of the Court to dispose of the petitioner's application under Section 9 of the Act, accordingly, the Certificate Officer is directed to take steps to comply with the direction passed by the Court on 27th July, 2021 at the earliest.
7. A reasoned order shall be passed and communicated to the petitioner.
8. Reasonable opportunity of hearing shall be provided to the petitioner to produce all documents in support of his stand.
9. The writ petition stands disposed of.
10. Urgent certified photocopy of this order, if applied for, be supplied to the parties expeditiously on compliance of usual legal formalities.

(Amrita Sinha, J.)