

S/L 8
28.04.2026
Court. No. 25
Sourav

WPA 6132 of 2026

**Sumankalyan Maity
Vs.
The State of West Bengal & Ors.**

*Mr. Kamalesh Jha
Mr. Diptyendu Kr. Pal
Mr. Md. Raihan Islam*

...for the petitioner.

*Mr. Rajarshi Basu
Mr. K. M. Hossain*

...for the State.

1. The petitioner has filed the present writ application directing the respondents to issue certified copies of the registered deeds being Deed Nos. 4471 of 1989 and 4999 of 1989 registered in the office of the Additional District Sub-Registrar, Ramnagar, Purba Medinipur.
2. The petitioner submits that the above said deeds were registered in the office of the Additional District Sub-Registrar, Ramnagar but unfortunately the IGR, index documents relating to the said deeds have been lost. The petitioner has submitted an application before the respondent no. 4 for supply of the certified copy of the said deeds. By a communication dated February 19, 2026, it was informed to the petitioner that the said deeds are the subject matters of the criminal trial pending before the criminal Court and referred to issue the certified copy of deeds to the petitioner.
3. Learned counsel for the petitioner has relied upon the judgment passed by the Hon'ble Division Bench of this Court in ***FMA 200 of 2010 with CAN 10275 of 2009*** wherein in the similar circumstances, the Hon'ble Division Bench has held as follows:

“On depositing an amount equivalent to the aggregate value of the stamp papers used for the purpose of registration with the registering authority and upon proper application being made for obtaining certified copy and on payment of proper fees for the same, the registering authority concerned shall supply the certified copy of the document. The said certified copy shall be used for all practical purposes. Supply of certified copy shall be made within fortnight from the date of making deposit. If no deposit is made within four weeks from the date of receipt of certified copy of this order, then the issue will be a closed chapter and the judgment and order of the learned trial Judge will stand revived.”

4. Learned counsel for the petitioner submits that as per the communication dated February 19, 2026, the deeds are the subject matters of the criminal trial and as such, the petitioner is ready and willing to deposit the stamp duty subject to outcome of the result of the criminal case.
5. Learned counsel for the respondent raised objection and submits that the judgment relied by the petitioner is distinguishable from the facts and circumstances of the case. He submits that in the said case the petitioner had the IGR number but in the present case the petitioner admits that the IGR number has been lost. He further submits that the petitioner can obtain the certified copy of the deed from the criminal court but instead of applying the same before the criminal court the petitioner has filed the application before the authority for certificate which cannot be granted as the stamp duty paid by the petitioner at the time of registration is the subject matter of the criminal trial.

6. Considered the submission made by the learned counsel for the respective parties.
7. This Court finds that only because the stamp duty paid in deed executed before the Additional District Sub-Registrar, Ramnagar, Purba Medinipur being deed nos. 4471 of 1989 and 4999 of 1989 are the subject matters of the criminal trial, the authorities have not provided the certified copy. In the similar circumstances, the Hon'ble Division Bench has passed the above order in FMA 200 of 2010.
8. Considering the above, this Court finds that this case is squarely covered by the order passed by the Hon'ble Division Bench in FMA 200 of 2010. Accordingly, the writ petition is disposed of by allowing the petitioner to deposit an amount equivalent to the aggregate value of the stamp papers used for the purpose of registration of two deeds with the registering authority and upon proper application being made for obtaining certified copy and on payment of proper fees for the same, the registering authority concerned shall supply the certified copy of the document. The said certified copy shall be used for all practical purposes. Supply of certified copy shall be made within fortnight from the date of making deposit. If no deposit is made within four weeks from the date of receipt of certified copy of this order, then the issue will be a closed chapter and the judgment and order of the learned trial Judge will stand revived.
9. Accordingly, **WPA 6132 of 2026** is disposed of.

10. Urgent photostat certified copies of this order, if applied for, be supplied to the parties upon compliance with all the necessary formalities.

(Krishna Rao, J.)