S/L 3
12.11.2026
Court. No. 25
suvayan

WPA 25533 of 2026

Sonatan Dutta & Ors.
Vs.
The State of West Bengal & Ors.

Mr. Prosenjit Mukherjee

...for the petitioners.

Ms. Reshmi Ghosh
Ms. Aparajita Mitra

...for the State.

1. The affidavit-of-service filed by the petitioners be kept with the record.
2. The petitioners have filed the present writ application challenging the order dated October 31, 2025 passed by the Additional District Sub-Registrar, Rampurhat, Birbhum, West Bengal wherein in terms of the order dated October 9, 2025 passed by the Presiding Officer, Maintenance Tribunal, Rampurhat Sub-Division and Sub-Divisional Officer, Rampurhat, Birbhum has declared the deed vide no. 08121/2014 dated September 19, 2014 registered at the office of the A.D.S.R., Rampurhat, Birbhum, West Bengal.
3. Learned counsel appearing for the petitioners submits that the Presiding Officer, Maintenance Tribunal, Rampurhat Sub-Division and Sub-Divisional Officer, Rampurhat, Birbhum had passed an order under Section 23(1) of the Maintenance and Welfare of Parents and Senior Citizens Act, 2007 dated October 9, 2025 declaring the deed vide no. 08121/2014 dated September 19, 2014 as cancelled.

4. The said order was challenged before this Court in WPA 24473 of 2025 (Sonatan Dutta & Ors. Vs. The State of West Bengal & Ors.). This Court by an order dated November 7, 2025 set aside the order dated October 9, 2025 passed by the Sub-Divisional Officer and remanded the matter back to the Sub-Divisional Officer with the direction to consider the matter afresh after giving an opportunity of hearing to all the parties and to pass a reasoned and speaking order within a period of four weeks thereafter.

5. During the pendency of the writ application and before passing the order dated November 7, 2025 in WPA 24473 of 2025, the Additional District Sub-Registrar had passed the impugned order dated October 31, 2025 further declaring the deed as null and void.

6. Learned counsel appearing for the State authorities submits that though the petitioners have challenged the order dated October 9, 2025 passed by the Sub-Divisional Officer under Section 23(1) of the Maintenance and Welfare of Parents and Senior Citizens Act, 2007 before this Court and this Court has allowed the writ application by setting aside the said order but the A.D.S.R. had no knowledge with regard to said order and as such the A.D.S.R. has passed the order on the basis of the order dated October 9, 2025 passed by the Sub-Divisional Officer.

7. Considered the submission made by the learned counsel for the respective parties.

8. Perused the materials on record, this Court finds that this Court has already set aside the order passed by the Maintenance Tribunal Rampurhat Sub-Division and Sub-Divisional Officer, Rampurhat, Birbhum wherein the deed was declared as void and cancelled and the said order was not within the knowledge of the A.D.S.R., Rampurhat, Birbhum, West Bengal.

9. Thus the impugned order dated October 31, 2025 is set aside and quashed.

10. The deed vide no. 08121/2014 dated September 19, 2014 registered at office of the A.D.S.R., Rampurhat, Birbhum is revoked till the disposal of the revisional application preferred by the petitioners against the order passed by the Sub-Divisional Officer dated January 9, 2026 pending before the co-ordinate Bench of this Court in CO 331 of 2026.

11. WPA 25533 of 2026 is disposed of.

12. 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.)