

WPA 25222 of 2018

Smt. Nilima Dutta
Vs.
The State of West Bengal & Ors.

Mr. Debasish Chattopadhyay
Mr. Tirthankar Basu
Mr. Suman Biswas
..... for the petitioner

1. The petitioner is aggrieved that in spite of being the beneficiary/legatee under the Will dated June 24, 2012 of the original lessee, the petitioner's claim as a transferee by way of a Will, has not been considered by the authorities.
2. Though the petitioner is a beneficiary under the Will, which was probated sometime in the year, 2018, it cannot be denied that the petitioner is neither an intestate successor nor in any manner connected with the original lessee. Since the petitioner has made a representation to consider the lease deed given to her on June 27, 2017, and the same has not been disposed of as yet, I direct the respondent no. 4 to consider the representation of the petitioner in the light of sub clause (h) of the allotment letter dated March 26, 1951 and the lease deed dated July 4, 1991.
3. With the aforestated directions, the writ petition is disposed of.

4. There shall, however, be no order as to costs.
5. Urgent photostat certified copy of this order, if applied for, be supplied to the parties on usual undertaking.

(Reetobroto Kumar Mitra, J.)