

Government of West Bengal
Urban Development Department
Nagarayan, DF-8, Sector-I
Salt Lake, Bidhannagar,
Kolkata – 700064.

No. 767-SL(AL)-6L-957/66(AE-240)

Dated: 11/05/2016

From : The Land Manager, Bidhannagar,
Urban Development Department,
Government of West Bengal

To : Shri Nirmal Kumar Bhattacharjee
135/1, Bangur Avenue, Block-B
Kolkata – 700055.

Sub : Copy of Reasoned Order passed in compliance with order of Hon'ble High
Court at Calcutta in respect of Plot No.AE-240, Sector-I, Salt Lake, Kolkata
– 700 064.

Ref. : W.P. No.12351(W) of 2011
Shri Nirmal Kr. BhattacharjeePetitioner
-Vs-
The State of West Bengal & Ors.....Respondent

Sir/Madam,

Enclosed please find herewith a copy of Reasoned Order passed in compliance
with the order dated 03.08.2011 of Hon'ble Justice Soumitra Pal in the above referred
writ petition.

Enclo : As stated.

Yours faithfully,

sd/
Land Manager, Bidhannagar
Urban Development Department,
Government of West Bengal

No. 767/1(3)-SL(AL)-6L-957/66(AE-240)

Dated: 11/05/2016

Copy forwarded for information to :-

- ✓ 1. The Sr. P.S. to The Addl. Chief Secretary, U.D. Deptt., Government of West Bengal,
Nagarayan, DF-8, Salt Lake, Sector-I, Kol-64
2. P.A. to The Special Secretary (Shri G.C.Ghose), U.D. Deptt., Nagarayan, DF-8, Salt
Lake, Sector-I, Kol-64
3. Office copy..

sd/
Land Manager, Bidhannagar
Urban Development Department,
11/5/16

Government of West Bengal
Urban Development Department
Nagarayan, DF-8, Sector-I, Salt Lake Kolkata-700064

W.P.No-12351 (W) of 2011
Sri Nirmal Kumar Bhattacharjee
-VS-
The State of West Bengal & Others

Reasoned Order

05-5-2016

The matter is taken up for hearing in compliance with Order passed on 3rd August, 2011 in W. P. No.-12351(W) of 2011 by Hon'ble Justice Soumitra Pal. Petitioner Shri Nirmal Kr. Bhattacharjee has appeared. Petitioner is heard. Records available in the file are perused.


It appears that Debes Chakraborty, Original lessee of Plot No. AE-240 had executed a 'Will' in favour of the Petitioner. After death of the lessee, the Petitioner obtained 'Probate' of the 'Will' from the Competent Court and applied before the Urban Development Department for mutation. From the enquiry report submitted by Shri N. Sen, Surveyor, it appears that one non-residential use is also going on the Plot without obtaining prior permission of the Government.

Considered.

The lessee has executed 'Will' in favour of petitioner Shri Nirmal Kr. Bhattacharjee who is not a natural legal heir/close relation of the original lessee. The Urban Development Department, Government of West Bengal has published Notification No. 2709 Dt. 22.6.2012 and Notification No. 3377 Dt. 2.9.2013 wherein it has been made clear that all devolutions, except in favour of close blood relations shall be deemed to be transferred and transfer fees will be applicable. The application for mutation submitted on 02.04.2015 by the Petitioner will be granted in terms of Notification No. 2709 dt. 22.06.2012 read with Notification No. 3377 dt.03.09.2013 and on remedy of breach of Clause 2(10) of the Lease Deed.

Inform all accordingly.

Dictated
&
Corrected by me


Land Manager, Bidhannagar


Land Manager, Bidhannagar
Urban Development Department
Government of West Bengal