

S/L 9
13.04.2026
Court. No. 25
Suwayan

WPA 5795 of 2026

Prasad Eco-structure LLP & Anr.
Vs.
State of West Bengal & Ors.

Mr. Suddhasatva Banerjee
Mr. Sanosij Dasgupta
Mr. Sarojit Dasgupta
Ms. Saheli Bose
Ms. Bernadeth Montal

...for the petitioners.

Mr. Amrita Panja Moulick
Ms. Deboleena Ghosh

...for the State.

1. The affidavit-of-service filed by the learned counsel for the petitioners be kept with the record.
2. The petitioners have filed the present writ application praying for a direction upon the respondent nos. 1 to 5 for refund of the stamp duty of Rs. 1,33,49,305/- and the registration fee of Rs. 26,69,955/- being the total of Rs. 1,60,19,260/- to the petitioners.
3. Learned counsel for the petitioners submits that the petitioners have entered into conveyance deed on April 28, 2023 by way of a registered deed and at time of registration of the said conveyance deed the authorities have assessed the market value of the said property at Rs. 26,69,85,698/- and the authorities have assessed the stamp duty of Rs. 1,33,49,305/- and registration fee of Rs. 26,69,955/-. Subsequently to the registration of the said deed the petitioners have made request to the municipal authority for identification of the said land and also made a RTI application. In reply to the RTI

application the Kolkata Municipal Corporation by a letter dated 22.11.2025 informed to the petitioners that “as per available records of Assessment-Collection (South) department and reported by division concerned that there is no existence of Premises No. 23, Diamond Harbour Road in KMC Ward No. 081” and as such the Municipal Corporation unable to furnish any further information with regard to the said premises.

4. The grievance of the petitioners is that though the authorities have assessed the market value as well as the stamp duty and the registration fee was calculated at the time of registration of conveyance deed and the petitioners have paid the stamp duty and the registration fee but physically the land is not available which was identified at the time of registration of the conveyance deed.
5. In view of the above, the respondent no. 5 is directed to file the report by way of an affidavit to ascertain whether the premises no. 23, Diamond Harbour Road, Kolkata-53 is available at the site or not and if not how the market value of the premises was ascertained at the time of registration of conveyance deed within a period two weeks from date after serving the copy to the learned counsel for the petitioners.
6. The petitioners are at liberty to take exception to the report, if any, within a week thereafter.
7. List the matter on May 8, 2026 under the same heading.

(Krishna Rao, J.)