

M/L 23
06.04.2026
Court. No. 25
Sourav

WPA 11175 of 2024

**Sushanta Debnath
Vs.
The State of West Bengal & Ors.**

*Mr. S. M. Obaidullah
Mr. Roni Chowdhury
Mr. Tamal Mukhopadhyay*

...for the petitioner.

*Mr. Srinath Singha Roy
Mr. Ramchandra Gucchait*

...for the State.

1. The grievance of the petitioner in the present writ application is that on May 26, 1992 a deed of indenture was entered between the petitioner and Sub-Divisional Refugee Relief and Rehabilitation Officer with respect of the land measuring 005 decimal of Plot No. 263, R.S. Plot No. 6753, Khatian No. 40, Mouza – Bhagabati, P.S. Chopra, District – Uttar Dinajpur.
2. Learned counsel for the petitioner submits that in the deed instead of the name of the petitioner, the name of the brother of the petitioner is recorded as ‘Subhas Debnath’ but in all other documents including the land records and the licence issued by the Government, the name of the petitioner is recorded. The petitioner has made several representations to the authority for recording the name of the petitioner in the indenture deed dated May 26, 1992 in place of the name of the brother but the authorities have not considered the same and the representations filed by the petitioner are still pending.
3. This Court finds that in the deed of indenture, the name of the brother is appearing not the name of the petitioner.

Now the petitioner intends to record his name in the deed of indenture instead of the name of his brother. The petitioner has neither made his brother as a party nor the brother has executed any document to establish that the brother has no objection for correction of the name in the deed of indenture.

4. Considering the above, this Court finds that the brother of the petitioner is a necessary party to adjudicate the present writ application. Accordingly, the petitioner is directed to add the brother as respondent no. 5 in the present writ petition and to issue notice upon the brother and to file the affidavit-of-service on the next date of fixed.
5. Let the matter appear on May 7, 2026.

(Krishna Rao, J.)