



OD-1

IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION
ORIGINAL SIDE

IA NO.GA /4/2026
In WPO/907/2016

TRIWAVE INFRACON PVT. LTD. & ANR.
VS
THE STATE OF WEST BENGAL & ORS

BEFORE:

The Hon'ble JUSTICE SABYASACHI BHATTACHARYYA

Date : August 21, 2026.

Appearance:

Mr. Abhratosh Majumdar, Sr. Adv.
Mr. Siddhartha Banerjee, Adv.
Mr. Rajesh Upadhyay, Adv.
Ms. Jyoti Rauth, Adv.
... for the petitioners

Mr. N. G. Khaitan, Sr. Adv.
Mr. Piush Chaturvedi, Sr. Adv.
Mr. Anujit Mookherji, Adv.
... for the State of West Bengal

1. Affidavit of service filed in Court today is taken on record.
2. Heard learned Senior Counsel appearing for the petitioners and the State.
3. Learned Senior Counsel appearing for the petitioners contends that in principle, the petitioners do not have any quarrel with the order dated July 31, 2026, whereby the petitioners were granted liberty to approach the appropriate statutory authority for the self-same reliefs as sought in the writ petition and consequentially to withdraw the writ petition. However, it is submitted that the petitioners are



agreeable to deposit the stamp duty assessed by the respondent authorities without prejudice to their right to prefer a challenge to the said assessment, consequent to which the deed in question may be registered.

4. Learned Senior Counsel appearing for the State-respondent submits that in any event the petitioners are entitled to such remedy in law, they can make such prayer before the statutory appellate authority.
5. This Court finds substance in the contention of the respondents to the effect that for the relief being sought by the petitioners, no recall of the order dated July 31, 2026 passed in WPO/907/2016 is required.
6. In the event the petitioners are otherwise entitled in law to have the deed in question registered upon payment of the assessed amount of stamp duty along with interest, if any contemplated in law, it is always open to the petitioners to take such recourse and/or to seek an appropriate order in that regard from the statutory appellate authority, if and when an appeal is preferred against the assessment impugned.
7. Thus, this Court does not find any merit in the recall application. Accordingly, IA No. GA/4/2026 is disposed of by granting liberty to the petitioners to take appropriate recourse to law, if available to the petitioners, for getting the deed registered upon payment of the deficit stamp duty and/or interest, if so envisaged in law, and/or to



seek such remedy before the appellate authority, if a statutory appeal is preferred against such assessment.

(SABYASACHI BHATTACHARYYA, J.)

RS