

W.P.A. 4138 OF 2020
with
CAN 1 OF 2020

(Through Video Conference)

Prabir Kumar Bandhu

Vs.

State of West Bengal & Ors.

Mr. S. S. Arefin

... For the Petitioner

Mr. Subhasis Bandyopadhyay

.... For the Respondent/
Municipality.

Mr. Kaushick Pradhan

....For the Respondent
No. 3.

1. This matter has been specially assigned to me by the Hon'ble the Chief Justice by an order dated December 22, 2020.

2. This is an application under Article 226 of the Constitution of India wherein the writ petitioner is aggrieved by the order dated January 9, 2020 passed by the Member Secretary West Bengal Valuation Board.

3. Counsel appearing on behalf of the municipality submits that an appeal lies against the order dated January 9, 2020.

4. Accordingly, the petitioner is directed to file an appeal in the proper form before the concerned Additional District Magistrate within a week from date.

5. In light of the above, the appellate authority, being the concerned Additional District Magistrate is directed to grant an opportunity of hearing to the petitioner and thereafter, pass a reasoned order within a period of three weeks from date of filing of the application. The reasoned order is to be communicated to the petitioner within a week from the date of passing of the order.

6. With the above direction, the writ petition is disposed of. There will be no order as to costs.

7. Since no affidavit-in-opposition is called for, the allegations made in the writ petition are deemed not to have been admitted.

Urgent photostat certified copy of this order, if applied for, be given to the parties upon compliance of all necessary formalities.

(Shekhar B. Saraf, J.)