

22.09.2021
Sl. No.8
srm

W.P.A. No. 9692 of 2021

Sree Sree Kripamoyee Kalika Thakurani & Ors.

Vs.

Municipal Commissioner, Kolkata

Municipal Corporation & Ors.

Mr. Suchit Kumar Banerjee,

Mr. S. Sen

...for the Petitioners.

Mr. Fazlul Haque,

Mr. Gopal Das

..for the KMC.

Affidavit of service is taken on record.

The only prayer in the writ petition which is pressed by the learned Advocate for the petitioners is that the assessment orders with regard to Premises No.87E, Cossipore Road, Kolkata-700002 be supplied to the petitioners as bills were raised for payment of property tax on the basis of the said orders without service of the orders.

Mr. Haque, learned Advocate appearing on behalf of the Kolkata Municipal Corporation, submits that the petitioners participated at the hearing sometime in 2004 and 2007 before the hearing officer and thereafter orders were passed. On the basis of the said orders, bills were raised. Mr. Haque further submits that the bills annexed to the writ petition did not correspond to the premises in respect of which the prayers are being made before this Court for supply of the orders.

He does not accept the contention of the petitioners that the orders passed in 2004 and 2007 were not served upon the petitioners. He further submits that there are no explanations as to why the petitioners are claiming the orders at this stage in 2021 after a gap of 15 years.

Without going into the merits of the claim and counterclaim of the parties, this writ petition is disposed of with a direction upon the petitioners to approach the Assessor/Collector- North, Assessment Collection Department, Kolkata Municipal Corporation, categorically mentioning and clarifying which orders passed by the hearing officer were not supplied to the petitioners with respect to the assessment of the annual valuation of the premises No.87E, Cossipore Road, Kolkata – 700002. The Kolkata Municipal Corporation, if such approach is made, shall supply the orders and comply with the order of this Court within a period of two months from the date of receipt of the representation of the petitioners.

This Court has not gone into the merits of the claim and counter-claim of the parties has also not expressed any opinion with regard to the orders passed by the hearing officer and the bills raised thereon.

This writ petition is, thus, disposed of.

There will be no order as to costs.

All parties are to act on the basis of the server copy of this order.

(Shampa Sarkar, J.)