

10.8.2021

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W.P.A. 11706 of 2021

(Via Video Conference)

Maya Ghosh & Ors.

Versus

State of West Bengal and others

Mr. Dilip Kumar Samanta

Mr. Biswapriya Samanta

... for the petitioners.

Despite service, none appears on behalf of the Kolkata Municipal Corporation. Let the affidavit of service be taken on record. Mr. Fazlul Haque, learned advocate, who usually appears on behalf of the KMC along with Ms. Manisha Nath, learned advocate are requested to appear in this matter. Their appearances may be regularized.

The petitioners have alleged that although the hearing was held in 2009 before the Assessor Collector(North) pursuant to a notice dated September 23, 2009 on the basis of an order passed by the High Court in WP 12117(W) of 2009, the final order had not been communicated to the petitioners. The petitioners contend that either the concerned authorities have failed to communicate any such order that may have been passed or the authority had not passed any order at all. The writ petition was moved by the predecessor-in-interest of the petitioner.

The petitioners are directed to approach the Assessor Collector (North) Kolkata Municipal Corporation,

that is, the authority who had given hearing to the petitioners ventilating their grievances. If such representation is filed, the same shall be considered and disposed of in accordance with law. If any order has been passed, the same shall be communicated to the petitioners. If no order has been passed then, fresh hearing shall be given in accordance with the direction of this court in WP 12117(W) of 2009. The petitioners as well as the persons who were private respondents in the above writ petition or their heirs will be heard.

The entire exercise shall be completed within a period of four weeks from the date of communication of this order.

This writ petition is disposed of.

There will be however, no order as to costs.

Parties to act on the server copy of this order.

(Shampa Sarkar, J.)