

18.01.2021
SL No.4
Court No.24
(P.M.)

WPA 12433 of 2019

**Durga Das & Ors.
Vs.
State of West Bengal & Ors.**

Mr. Phyroj Edulji
Mr. S.K. Ghosh
... for the petitioners

Mr. Suman Basu

... for Chandernagore
Municipal Corporation

Mr. Bipin Ghosh
... for the State

The petitioners pray for a direction upon Chandernagore Municipal Corporation to consider the application for mutation which was filed on 7th November, 2014.

The petitioners filed a notice demanding justice through his learned advocate which was received by the office of the Chandernagore Municipal Corporation on 26th April, 2019 praying for mutating the property in her name.

The learned advocate representing the Chandernagore Municipal Corporation submits, upon instruction, that an inspection was caused wherefrom it appears that a portion of the road has been included in the documents which were filed by the petitioners for mutation.

The learned advocate submits that notice has been given to the petitioners as regards the disputed portion of the land which the petitioners claim to be the owners.

At this stage this court thinks it fit to dispose of the instant writ petition by directing the Chandernagore Municipal Corporation to take necessary steps for consideration of the prayer of the petitioners for mutation, strictly in accordance with law, after giving an opportunity of hearing to all the necessary parties within twelve weeks from the date of communication of a copy of this order. The said respondent shall pass a reasoned order and communicate the same to all the parties immediately thereafter.

It is made clear that this Court has not gone into the merits of the claim of the petitioners and all points are left open to be decided by the said respondent at the time of consideration of the representation made by the petitioners.

WPA 12433 of 2019 stands disposed of.

Affidavit of service filed in court is retained with the record.

Urgent photostat certified copy of this order, if applied for, be given to the parties on completion of usual formalities.

(Amrita Sinha, J.)