

08.12.2021
Court No. 19
Item no.24
CP

WPA 14919 of 2021

Lalita Shaw
Vs.
Chairman-in-Council, Baranagar Municipality & ors.

Ms. Manju Agarwal
Ms. G. Agarwal

.....for the petitioner.

Mr. R. Chatterjee
Mr. Arijit De
Mr. A. Mitra

....for the municipality.

Affidavit of service is taken on record.

The petitioner is aggrieved by the inordinate delay on the part of the Baranagar Municipality (hereinafter referred to as the municipality), in disposing of the application for mutation filed by the petitioner on March 14, 2007. It is contended by the petitioner that thereafter several reminders have been issued to the municipality, but to no avail.

Reference is also made to a deed of gift on the basis of which the petitioner has prayed for mutation. Upon execution of the said deed of gift by her mother, the petitioner claims to be the owner of the premises. It is further submitted that mutation had already been done in the name of erstwhile owner, namely, Sati Devi Shaw in respect of premises

no. 71/A, Ghosh Para Road, Kantadhar, Baishali Para, Nawabganj, Ichapur, Pin – 743144.

Without going into the merits of the claim of the petitioner and also without deciding the right, title and interest of the petitioner in respect of the property in question, this writ petition is disposed of with a direction upon the competent authority of the municipality to dispose of the application for mutation filed by the petitioner in accordance with law upon hearing the petitioner, all other interested parties including Sati Devi Shaw. A reasoned order shall be passed and communicated to all.

The court has not gone into the merits of the claims and counter-claims of the parties and the municipality shall proceed independently.

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

The writ petition is thus disposed of. There shall be no order as to costs.

Parties are to act on the server copy of this order.

(Shampa Sarkar, J.)