

15.11.2021
Sl. No.7
srm

W.P.A. No. 16849 of 2019
Surajit Chakravarty & Anr.
Vs.
The State of West Bengal & Ors.

Mr. Arup Kumar Das

...for the Petitioners.

Mr. Mir Anuruzzaman

...for the Municipality.

Mr. Himadri Sekhar Chakraborty,
Mr. K.M. Hossain

...for the State-respondents.

The writ petition has been filed alleging that the Rajpur Sonarpur Municipality did not take any steps pursuant to the application filed by the petitioners for mutation of the names of the petitioners in respect of Dag No.1158 appertaining to Khatian No.662 of Mouza-Laskarpur, District-South24-Parganas.

The learned Advocate for the municipality submits that upon thorough inspection of the records, it reveals that the petitioners had never applied for mutation in the prescribed form along with the prescribed fee.

The petitioners are unable to produce the receipt issued by the municipality against the application for mutation upon deposition of fees.

Under such circumstances, this Court does not find any reason to keep the matter pending. The writ petition is disposed of, granting liberty to the petitioners to approach the appropriate authority of the municipality with all documents and receipts which are in their possession and custody. If the petitioners can satisfy the municipality with the documents that an application in the prescribed form along with the prescribed fee had been submitted, in that case, the municipality shall act and proceed in accordance with law. In case, the petitioners are unable to satisfy the authorities, then the petitioners shall be at liberty to apply afresh for mutation in accordance with law and if such application is made, the municipality shall act and proceed in accordance with law and pass an order upon hearing all concerned.

The entire exercise shall be completed in accordance with law by the parties within a period of 12 weeks from the date. The authority shall communicate its decision to the parties which shall be passed upon the petitioner complying with the necessary formalities.

This writ petition is, thus, disposed of.

There will be, however, no order as to costs.

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

(Shampa Sarkar, J.)