

Court No. 24

08.02.2021

(Item No. 20)

(AB)

W.P.A 8248 of 2020

Chiradeep Sirkar

vs

Bidhannagar Municipal Corporation & Ors.

Mr. Jaydip Kar

Mr. Billwadal Bhattacharyya

Mr. Arkaprava Sen

...for the Petitioner

Mr. Debabrata Saha Roy

Mr. Arka Nag

Mr. Subhankar Das

..... for Bidhannagar Municipality

The petitioner submits that the Bidhannagar Municipal Corporation is raising property tax bills without taking into consideration and in violation of the provisions of Section 110 of the West Bengal Municipal Act, 1993 as amended in 2009.

The petitioner relies upon a judgment passed by the Hon'ble Supreme Court on 18th May, 2007 reported in **(2007) 6 SCC 668** in the matter of **Bidhannagar (Salt Lake) Welfare Assn. Vs. Central Valuation Board and others** and submits that the Bidhannagar Municipal Corporation is also not acting in accordance with the direction passed by the Hon'ble Supreme Court in the aforesaid matter.

The petitioner made a representation before the Bidhannagar Municipal Corporation by a letter dated 4th June, 2019. The petitioner complains that the said representation has not been considered by the Bidhannagar Municipal Corporation till date.

As it appears that the petitioner has already raised his grievance with regard to fresh assessment of property tax and the same is pending consideration at the end of the Bidhannagar Municipal Corporation, no useful purpose will be served by keeping the writ petition pending.

The writ petition is accordingly disposed of by directing the respondent no.2, the Municipal Commissioner, Bidhannagar Municipal Corporation to take necessary steps for consideration of the representation made by the petitioner on 4th June, 2019, strictly in accordance with law, after giving an opportunity of hearing to all the necessary parties, including the petitioner, within a period of six 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 necessary parties, including the petitioner, immediately thereafter.

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

The petitioner is directed to forward a copy of the representation dated 4th June, 2019 to the aforesaid respondent at the time of communicating the order of the Court.

Urgent photostat certified copy of this order, if applied for, be supplied to the parties upon completion of usual legal formalities.

(Amrita Sinha, J.)