

ORDER SHEET

WPO No. 26 of 2020
IN THE HIGH COURT AT CALCUTTA
Constitutional Writ Jurisdiction
ORIGINAL SIDE

SHARDA DEVI BUBNA & ORS.
VS.
THE KOLKATA MUNICIPAL CORPORATION & ORS.

BEFORE:

The Hon'ble JUSTICE AMRITA SINHA

Date: 8th March, 2021.

Mr. Dhrubo Ghosh, Sr. Adv., Mr. Sagnik Majumdar,
Ms. Vineeta Meheria Advocates for the petitioners.

Mr. Alok Kumar Ghosh, Mr. Fazlul Haque, Advocates for K.M.C.

The Court :- The petitioners challenge the notices appearing at pages 44 and 46 of the writ petition, under Sections 184(3)/184(4) read with Section 185 of the Kolkata Municipal Corporation Act, 1980.

The specific case of the petitioners is that the ground on which the proposed annual valuation has been enhanced is kept blank in the notices impugned in the instant writ petition.

It has further been alleged that the aforesaid impugned notices were received after the due date of hearing fixed by the Kolkata Municipal Corporation.

On the last occasion the learned advocate appearing on behalf of the Kolkata Municipal Corporation was requested to come up with a suggested date when the hearing in terms of the aforesaid notices could be taken. Today, a written communication from the Assistant Assessor Collector (South) dated 6th March, 2021 has been handed over in Court wherefrom it

appears that the hearing has been fixed on 20th April, 2021 at 11:30 AM. before the Hearing Officer-IX of the Kolkata Municipal Corporation.

As the Kolkata Municipal Corporation has already fixed a date of hearing, the petitioners are directed to appear before the said Hearing Officer-IX of the Kolkata Municipal Corporation on the date and time so fixed. Till a decision is taken by the Hearing Officer-IX of the Kolkata Municipal Corporation, the impugned notices appearing at pages 44 and 46 of the writ petition shall not be given effect to.

The petitioners will be entitled to raise all objections before the said Hearing Officer-IX of the Kolkata Municipal Corporation at the time of hearing. All points are left open to be decided by the concerned Hearing Officer.

A copy of the letter dated 6th March, 2021 given by the Assistant Assessor Collector (South) be kept with the records.

WPO No. 26 of 2020 stands disposed of.

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

(AMRITA SINHA, J.)

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