

ORDER SHEET

WPO 88 of 2021
IN THE HIGH COURT AT CALCUTTA
Constitutional Writ Jurisdiction
ORIGINAL SIDE

HALDIRAM LIMITED
VS.
KOLKATA MUNICIPAL CORPORATION & ORS.

BEFORE:

The Hon'ble JUSTICE AMRITA SINHA

Date: 24th February, 2021

Mrs. Manju Agarwal, Advocate for the petitioner.

Mr. Biswajit Mukherjee, Mr. Fazlul Haque, Advocates
for K. M. C.

Mr. Satyajit Talukdar, Ms. Sanchari Chakraborty,
Advocates for respondent no.3.

The Court : Affidavit of service filed in Court today is taken on record.

The grievance of the petitioner is that the officials of the Kolkata Municipal Corporation are regularly threatening the Director of the company to avail the benefit of the waiver scheme for payment of the outstanding taxes.

According to the petitioner, the company has invested huge sums of money and the Corporation has not sanctioned the plan for making construction in the said plot of land for want of execution of the Deed of Lease.

The petitioner submits that the company is not liable to pay the taxes till such time the issue of execution of the Lease Deed is decided by the Court.

There is no proof on record, neither any document in support of the aforesaid submission to show that the officials of the Corporation are threatening the petitioner for payment of tax. It is entirely upto the petitioner whether to avail the benefit of the waiver scheme or not. It is open for the Corporation to take steps in accordance with law for recovery of the arrear tax in respect of the property in question.

No relief can be granted to the petitioner in the instant case.

The writ petition stands dismissed.

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

(AMRITA SINHA, J.)