

ORDER SHEET

WPO 95 of 2021
IN THE HIGH COURT AT CALCUTTA
Constitutional Writ Jurisdiction
ORIGINAL SIDE

RAJENDRA KUMAR PODDAR
VS.
THE KOLKATA MUNICIPAL CORPORATION & ORS.

BEFORE:

The Hon'ble JUSTICE AMRITA SINHA

Date: 1st March, 2021

Mr. Raghunath Chakraborty. Advocate for the petitioner.
Mr. Biswajit Mukherjee, Mr. Dilip Kumar Chatterjee,
Advocates for K. M. C.

The Court : Pursuant to an order passed by the Court in WP 639 of 2016, GA 2304 of 2017 dated 1st August, 2017, the petitioner has deposited the amount of Rs.35 lakhs along with interest before the Kolkata Municipal Corporation in September, 2017. By virtue of the aforesaid order, the Corporation was directed to treat the statutory appeal filed by the petitioner to be in form and in conformity with the statutory provisions and to see that the same are disposed of within four weeks therefrom in accordance with law.

It appears that the petitioner by a letter dated September 12, 2017 communicated the order of the Court to the Assessor Collector (North). The petitioner submits that the statutory appeals being M.A.A.No.47/17, M.A.A.No.48/17 and M.A.A.No.49/17 are still pending before the Municipal Assessment Tribunal. The petitioner prays for disposal of the aforesaid

statutory appeals within the time as directed by the Court in its order dated 1st August, 2017.

There is nothing on record to show that the petitioner has taken steps for getting the statutory appeals heard before the Tribunal in terms of the order passed by the Court. Accordingly, leave is granted to the petitioner to approach the Municipal Assessment Tribunal in terms of the order passed by the Court on 1st August, 2017 and renew his prayer for early disposal of the same.

The petitioner has prayed for apportionment of the share of taxes before the Municipal Commissioner by a letter dated 26th December, 2020. The same is pending consideration till date.

The respondent no.2, being the Municipal Commissioner, is directed to consider the said application for apportionment, strictly in accordance with law, within a period of six weeks from the date of communication of a copy of this order.

The writ petition 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.)