

ORDER SHEET

WPO 106 of 2021
IN THE HIGH COURT AT CALCUTTA
Constitutional Writ Jurisdiction
ORIGINAL SIDE

BINOD KUMAR SARAOGI 'HUF' & ORS.
VS.
THE KOLKATA MUNICIPAL CORPORATION & ORS.

BEFORE:
The Hon'ble JUSTICE **AMRITA SINHA**
Date: 3rd March, 2021

Mr. Anupam Das Adhikary, Mr. Sunil Singhania,
Advocates for the petitioners.

Mr. Gurudas Mitra, Ms. Era Ghose, Advocates for K. M. C.

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

The petitioners are aggrieved by the issuance of the Letter of Intimation dated 10th October, 2020 in respect of the premises no.19, Hem Chandra Naskar Road, Kolkata – 700 010. According to the petitioners, the payments which were directed to be paid in terms of the said Letter of Intimation had already been paid by the petitioners long back.

The petitioners submit that the bills have been raised all over again for payment in respect of the same period.

The petitioners through their learned advocate raised objection before the Assessor Collector (North) by letter dated 1st December, 2020. The same has not been considered till date. The petitioners have already applied before the Kolkata Municipal Corporation for availing the benefits under the Waiver Scheme, 2020.

The learned Advocate appearing on behalf of the Kolkata Municipal Corporation submits that the bills in respect of which the Letter of Intimation has been served upon the petitioners are lying due and unpaid till date.

As it appears that the petitioners have already raised objection challenging the bills which were mentioned in the Letter of Intimation dated 10th October, 2020 and the same is pending consideration at the end of the respondent authorities, no useful purpose will be served by keeping the writ petition pending.

The writ petition is, accordingly, disposed of by directing the respondent no. 6, being the Assessor Collector (North), Kolkata Municipal Corporation to consider the representation made by the petitioners, strictly in accordance with law, upon giving an opportunity of hearing to the representative of the petitioners within a period of six weeks from the date of communication of a copy of this order. The petitioners will be at liberty to produce all the receipts of the payment made by them to substantiate their claim that the dues indicated in the impugned Letter of Intimation were paid

them earlier. The said respondent shall pass a reasoned order and communicate the same to the petitioners immediately thereafter.

If the Assessor Collector (North) is of the opinion that there is any amount which has been directed to be paid twice over by the petitioners, then steps shall be taken for recalculating the bills after making necessary correction.

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.)