

OD-3

ORDER SHEET

WPO No. 293 of 2021

IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION
ORIGINAL SIDE

MIRZA ALI ABBAS SHIRAZI
Versus
THE KOLKATA MUNICIPAL CORPORATION & ORS.

BEFORE:

The Hon'ble JUSTICE SHAMPA SARKAR

Date : 11th August, 2021.

[Via video conference]

Appearance :

Mr. Arif Ali, Adv.

Mr. Yusuf Ali Mirza, Adv.

Mr. S. Bhattacharjee, Adv.

For the petitioner.

Mr. Soumyajit Bhatta, Adv.

For the respondent no. 7.

Mr. Gopal Chandra Das, Adv.

Mr. Purnashish Bhuiya, Adv.

For K.M.C.

The Court:- The petitioner is the President of the Committee of Management, Hooghly Imambara, who seeks to be allowed to participate at the hearing being held by the Deputy Assessor Collector (South), Kolkata Municipal Corporation, the respondent no. 5. The hearing relates to objection letters dated February 5, 2021 and April 9, 2021 written by the respondent no. 7. It appears that the respondent no. 7 has raised

such objections with regard to mutation of the concerned premises in the name of the respondent no. 6 and some other persons. It is alleged that the respondent no. 6 is a fictitious entity and the management of the said premises was always under the Committee of Management, Hooghly Imambara. Supporting documents have been produced before this court.

Under such circumstances, the writ petition is disposed of by directing the Deputy Assessor Collector (South), Kolkata Municipal Corporation, to allow the petitioner to participate at the hearing and make their submissions with regard to the claims.

It is made clear that if any other person has raised any claim with regard to the property in question, their documents filed before the Kolkata Municipal Corporation shall be supplied to the petitioner and the respondent No.7. Costs of such copies shall be borne by the parties.

The petitioner shall enter appearance before the Deputy Assessor Collector (South), Kolkata Municipal Corporation within seven days by filing an appropriate application.

No final order shall be passed without hearing.

(SHAMPA SARKAR, J.)