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**APOT/123/2021
WITH
WPO/139/2009
I.A./GA 2 OF 2021
IN THE HIGH COURT AT CALCUTTA
CIVIL APPELLATE JURISDICTION
ORIGINAL SIDE**

M/S MANISH INVESTMENT COMPANY & ANR
VS
THE KOLKATA MUNICIPAL CORPORATION & ORS

BEFORE:

The Hon'ble JUSTICE ARIJIT BANERJEE
The Hon'ble JUSTICE KAUSIK CHANDA
Date : 1st December, 2021.

Appearance:

Mr.Rajendra Chaturvedi, Advocate
...for appellant/petitioner.

Mr. G.C.Das, Advocate
...for KMC.

THE COURT: - By consent of the parties, the appeal and the application are taken up for hearing together.

The writ petitioners had approached the learned Single Judge with two fold grievance. Firstly, according to them, the notice for revaluation of the property in question was issued wrongly and they prayed for quashing of the notice. Secondly, according to them, their prayer for

mutation of the property in their names was kept hanging by the Corporation.

On 14th January, 2021, the matter was taken up for hearing by the learned single Judge. Nobody appeared for the writ petitioners. The learned Judge recorded the submission made on behalf of the Corporation that final order had been passed pursuant to the notice which was impugned in the writ petition. However, no observation was made regarding prayer of the writ petitioners for mutation. Learned Judge disposed of the matter. Being aggrieved, the writ petitioners are before us.

Learned advocate for the Corporation has produced the final order of assessment pursuant to the impugned notice. Hence, the question of quashing the notice does not arise. Let the final order of assessment be kept on record.

If the appellants/writ petitioners are aggrieved with the assessment, they are at liberty to challenge the same before the appropriate forum in accordance with law.

Insofar as the prayer for mutation is concerned, learned advocate for the corporation says that mutation has been granted in favour of the writ petitioners and they have been paying the property tax in respect of their property in question. We record the same.

In view of the aforesaid, the appellants' grievance regarding the refusal of mutation does not survive. Therefore, nothing remains in the appeal.

The appeal and the stay application are accordingly disposed of.

(ARIJIT BANERJEE, J)

(KAUSIK CHANDA, J.)

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