

16.02.2022
Court No. 19
Item no.03
CP

WPA 390 of 2022

Anup Kumar Datta
Vs.
The Kolkata Municipal Corporation & ors.

Mr. Rahul Das
.....for the petitioner.

Mr. Biswajit Mukherjee
Ms. Tanushree Dasgupta
.....for the K.M.C.

The petitioner is aggrieved by the inaction of the Hearing Officer in disposing of the proceedings pending with regard to the determination of the annual valuation of Premises No. 4/3K/L/29, Ho-Chi-Minh Sarani, Behala, Kolkata – 700061. According to the petitioner, the hearing was held on some occasions, but ultimately, the proceedings have been pending since June 2, 2011.

Records have been produced by the Kolkata Municipal Corporation to show that the petitioner was called for hearing several times. It is submitted that the petitioner failed to attend the hearing on many occasions. This fact is, however, disputed by the petitioner.

Heard the parties.

It is an admitted position that the proceedings pending before the Hearing Officer has not been

concluded and the annual valuation proposed to be imposed upon the petitioner with regard to the premises in question, has not been finally determined in the proceedings.

Under such circumstances, the writ petition is disposed of with a direction upon the concerned Hearing Officer to dispose of the pending matter with regard to determination of the annual valuation of the property in question, within a period of two months from date.

As the matter is an old one, fresh hearing shall be given to the petitioner. The petitioner will be entitled to produce all documents in support of his contentions. Upon conclusion of the hearing, the concerned authority shall pass a reasoned order.

Such reasoned order shall be communicated to the petitioner within the aforementioned period.

The court has not gone into the merit of the issues involved and the issues shall be decided independently.

The writ petition is, thus, disposed of. There shall be no order as to costs.

Parties are to act on the server copy of this order.

(Shampa Sarkar, J.)