

Item No. 118

17.06.2022
Ct-24

In The High Court At Calcutta
Constitutional Writ Jurisdiction
Appellate Side

WPA 23 of 2019
Smt. Uma Bhattacharjee
v.
The State of West Bengal & Ors.

Mr. Bhabani Prasad Mondal
Mr. Sukanta Mondal
... for the petitioner.

Mr. Ranajit Chatterjee
Mr. Gopal Chandra Das
... for the Kolkata Municipal Corporation.

Mr. Tarun Kumar Ghosh
Mr. Subrata Guha Biswas
... for the State .

The grievance of the petitioner is that the application for mutation filed by her has not been acted upon by the Kolkata Municipal Corporation till date.

Learned advocate appearing for the Corporation submits that there are certain errors in the application for mutation. The premises number was incorrectly mentioned in the said application. In view of such erroneous application, steps could not be taken by the Corporation for effecting mutation as prayed for.

The petitioner has submitted a Deed of Declaration rectifying the errors made in the application for mutation and the documents in support of mutation of the premises in question in her favour. The Deed of Declaration was registered before the District Sub-

Registrar, Alipore, South 24 Parganas on August 31, 2018.

The petitioner prays for a direction upon the Kolkata Municipal Corporation to act on the basis of the Deed of Declaration registered on August 31, 2018.

The petitioner submits that the names of the co-sharers have been mutated in respect of the said property but her application for mutation has not been disposed of.

In view of the aforesaid, the instant writ petition is disposed of by directing the Assessor/Collector (S.S. Unit), Kolkata Municipal Corporation being the respondent no. 4 herein to take steps for disposing of the petitioner's application for mutation relying upon the Deed of Declaration which was filed by her and on the basis of the documents submitted by her in respect of her claim for mutation.

The said respondent shall take necessary steps to dispose of the matter at the earliest but positively within a period of twelve weeks from the date of communication of a copy of this order.

The said respondent is directed to afford an opportunity of hearing to the petitioner to produce all the documents in support of her claim and take necessary steps for mutation, in the event, there is no objection from any party whatsoever. If required, the Corporation shall permit the petitioner to file a proper

application for mutation with correct details which she seeks to be mutated in her name.

The writ petition stands disposed of.

Urgent photostat certified copy of this order, if applied for, be given to the parties after completion of all legal formalities.

Sh

(Amrita Sinha, J.)