

Sl. No.94
(Monthly List)
05.07.2022
Court No.24
B.M.

In The High Court At Calcutta
Constitutional Writ Jurisdiction
Appellate Side

WPA 3723 of 2021

Kewli Devi & Ors.

v.

The State of West Bengal & Ors.

Mr. Debabrata Chakrabarti

... for the petitioner

The matter relates to the property at Dag Nos. 1523, 1523/1619, 1523/1623 of Mouza-Agarpara, J. L. No.11, Block-Khardah, Ward No.7, under the jurisdiction of the Panihati Municipality.

The Municipality has mutated the records and has incorporated the name of the respondent no.7, i.e. Ramlal Shaw as the person liable to pay tax of the said property.

The petitioners allege that the Municipality does not have the authority to incorporate the name of the respondent no.7 in the records of the Municipality as the aforesaid respondent does not have any right, title and interest in the property in question. The said respondent no.7 is also not the person liable to pay tax.

The petitioners filed objection before the Municipality in the year 2016 followed by reminder in the year 2020 and thereafter a notice demanding justice in

October, 2020 and allege that none of the representations have been taken up for consideration till date.

None appears on behalf of the respondents despite service.

Affidavit of service filed in Court is taken on record.

As it appears that the representation filed by the petitioners is pending consideration at the end of the Panihati Municipality, accordingly, the instant writ petition is disposed of by directing the Panihati Municipality to consider the notice demanding justice dated 15th October, 2020 filed by the learned advocate on behalf of the petitioners after giving reasonable opportunity of hearing to all the necessary parties at the earliest but positively within a period of eight weeks from the date of communication of this order.

The aforesaid respondent shall pass a reasoned order and communicate the same to the parties immediately thereafter.

It is made clear that this Court has not entered into the merits of the claim of the petitioners and all points are left open to be decided by the aforesaid respondent at the time of adjudicating the representation filed on behalf of the petitioners.

The writ petition stands disposed of.

Urgent photostat certified copy of this order be supplied to the parties, if applied for, as early as possible.

(Amrita Sinha, J.)