

Sl. No.124
12.07.2022

Court No.24
B.M.

In The High Court At Calcutta
Constitutional Writ Jurisdiction
Appellate Side

WPA 7175 of 2021

Intekhab Alam
Versus
The State of West Bengal & Ors.

Mr. Protik Majumder
Mr. Shubradip Roy

... for the petitioner

Mrs. Jhuma Chakraborty
Mr. Aritra Ghosh

... for the State

The petitioner is aggrieved by the imposition of the property tax in respect of holding Nos. 19, 20 and 25 of Ward No.14 under Dhuliyon Municipality.

The petitioner raised objection with regard to assessment of property tax by filing representation before the Chairman, Dhuliyon Municipality in November, 2019 and alleges that the said representation has not been considered till date.

The petitioner contends that the property tax has not been assessed properly in accordance with the relevant rules. The same is exorbitant and is liable to be set aside.

None appears on behalf of the Dhuliyon Municipality despite service.

Affidavit of service filed in Court is taken on record.

The State is represented by the learned advocate.

As the Municipality is not represented, the Court is not in a position to decide the issue conclusively.

In view of the above, the instant writ petition is disposed of by directing the Chairman, Dhuliyan Municipality to consider and dispose of the representation filed by the petitioner on 15th November, 2019 strictly in accordance with law after giving reasonable opportunity of hearing to the petitioner or his authorised representative at the earliest, but positively within a period of twelve weeks from the date of communication of this order.

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

The petitioner will be entitled to rely upon documents in support of his claim that the property tax has been assessed incorrectly by the Municipality.

The petitioner is directed to forward a copy of the representation dated 15th November, 2019 along with all other supporting documents to the aforesaid respondent at the time of communicating the order of this Court.

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.)