

Ct. 05
Item No.21
19.07.2022
(suvendu)

**WPA 7667 of 2018
With
CAN 1 of 2022**

**Royal Suiting Emporium & Anr.
Vs.
Union of India & Ors.**

Mr. Abhrajit Mitra
Mr. Satadeep Bhattacharyya
Ms. I. Hassan
Mr. Subhajit Ghosh
.....for the petitioners
Mr. Indrajit Dasgupta
Ms. Sanchita Barman Ray
.....for the UOI

After hearing learned counsel, it appears that both the parties are agreeable to the rent agreed upon by the Rent Negotiation Committee constituted under the approval of the Department of Revenue and the recommended rent pursuant to the meeting of the said Committee held on 22.07.2015 and 16.09.2015. The recommended reasonable rent was to be Rs. 58/- per sq. ft. per month with effect from 01.04.2008 and Rs. 61/- per sq. ft. per month with effect from 01.04.2013. The reasonable rent was assessed for the period of 01.12.2002 to 01.12.2007 and should not be less than Rs. 39/- per sq. ft. + CMC taxes.

The dispute whether the rent was to be payable in respect of the Carpet Area or Super

Built Area was resolved in favour of the later by a letter of the Secretary, Ministry of Finance, Department of Revenue, Government of India dated 16.01.2017.

WPA 7667 of 2018 along with CAN 1 of 2022 are disposed of with a direction on the concerned respondent authorities to pay the rent as stated above together with Kolkata Municipal Taxes and applicable GST to the petitioners within a period of four weeks from date, as prayed for. The respondent authorities shall continue to pay the rent at the rate indicated above for the subsequent periods and the petitioners shall provide bills of the payment of KMC taxes to the respondent authorities.

Urgent photostat certified copy of this order, if applied for, be given to the parties on usual undertakings.

(Moushumi Bhattacharya, J.)