

Sl. No.ML- 91
09.09.2022

Court No.24
B.M.

In The High Court At Calcutta
Constitutional Writ Jurisdiction
Appellate Side

W.P.A 11601 of 2021

Krishnagar Municipality & Anr.
Versus
Union of India & Ors.

Mr. Sankar Halder

... for the petitioners

None appears on behalf of the respondents.

Affidavit of service filed in Court is taken on records.

Krishnagar Municipality and its Administrator have filed the present writ petition praying for a direction upon the respondent authorities for paying service charges in respect of the services rendered by the Municipality to the office of the Central Government located within the jurisdiction of the said Municipality.

The petitioner no.1 through the learned advocate has filed representation before the Superintendent of Posts, Nadia, North Division in June, 2021 and alleges that the same has not been taken up for consideration till date.

It has also been submitted that payment has not been made by the respondents in terms of the direction passed by the Hon'ble Supreme Court in Civil Appeal

No.9458-9463 of 2003 in the matter of Rajkot Municipal Corporation & Ors. vs. Union of India.

The petitioner relies upon an order passed by this Court in the year 2012 in WP 4662(W) of 2012 (Krishnagar Municipality & Ors. vs. Union of India & Ors.) wherein this Court directed the respondent authority to release the dues of the Municipality.

As the respondents are not represented, this Court is not in a position to decide the matter conclusively.

In view of the above, the present writ petition is disposed of by directing the respondent no.4 the Superintendent of Posts, Nadia to consider and dispose of the representation filed on behalf of the petitioner by the learned advocate in June, 2021 strictly in terms of the direction passed by the Hon'ble Supreme Court after giving reasonable opportunity of hearing to the authorised representative of the petitioners and the representative of the respondents and to pass a reasoned order within a period of twelve weeks and communicate the same to the parties immediately thereafter.

Learned advocate for the petitioners is directed to forward a copy of the representation dated 24th June, 2021 along with other documents in support of their claim to the aforesaid respondent at the time of communicating the order of the Court.

The writ petition stands disposed of.

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

(Amrita Sinha, J.)