

15.3.2022
Court No. 19
Item no.15
sn

WPA 10000 of 2019

Hafiza Khatun & Ors.
Vs.
The State of West Bengal & Ors.

Mr. Mrityunjoy Goswami
Mr. Parikshit Goswamifor the petitioners

Mr. Rabindra Nath Dutta
Mr. Suprabhat Bhattacharyya
..for the State

Despite service, none appears on behalf of the municipality. Notice of service is taken on record.

The petitioners allege that the concerned municipality has failed to mutate their names in respect of the holding no. 468, Garulia Main Road, Police Station Noapara, Post Office Garulia, Ward No. 11, District North 24 Parganas, on the basis of the decree of the civil court.

The prayers of the petitioners are innocuous.

The petitioners seek a direction upon the municipality to take steps with regard to the application for mutation, which was filed by the petitioners some time in February, 2018.

Under such circumstances, this writ petition is disposed of with a direction upon the Garulia municipality to dispose of the application for

mutation of the names of the petitioners in accordance with law upon taking into consideration all the documents and the decree of the civil court, which was relied upon by the petitioners.

Needless to mention, that if during the process of hearing of the mutation case any other party claims any right with regard to the property in question, the said person shall also be heard.

The petitioners shall be entitled to produce all the documents in favour of their right, title and possession in respect of the property in question. A reasoned order shall be passed and communicated to all concerned.

The entire exercise shall be completed within a period of three months from the date of communication of this order.

The writ petition is disposed of without any order. This court has not entered the merits of the case. The municipality will decide the issue independently.

There will be however no order as to costs.

Parties are to act on the server copy of this order and/or learned advocate's communication.

(Shampa Sarkar, J.)