

W.P.A. 9951 of 2015

IA No. CAN 1/2019 (Old No. CAN 3757/2019)

IA No. CAN 2/2019 (Old No. CAN 3759/2019)

Sri Santanu Mukherjee

Vs.

The Calcutta Municipal Corporation & Ors.

Mr. Srijit Chakraborty

Mr. Sandip Kumar Datta

...for the Petitioner

Mr. Biswajit Mukherjee

...for the KMC

Matter relates to fixation of annual valuation at Rs. 32,400/- in respect of holding no. 26H/28, Radha Madhab Dutta Garden Lane, Calcutta-700010 with effect from 1st April, 2005.

Mr. Srijib Chakraborty, learned advocate representing the petitioner has voiced grievance that such fixation of annual valuation in respect of aforesaid holding number is exorbitant. It has further been submitted that in violation of principle of natural justice such fixation has been made without serving notice to the petitioner and without providing opportunity of being heard. Petitioner urges reconsideration of the issue of fixation of annual valuation at Rs. 32,400/- with effect from 1st April, 2005 by the concerned authority of Kolkata Municipal Corporation after granting opportunity of hearing to the petitioner which would permit the petitioner to make deliberation before the appropriate authority.

Kolkata Municipal Corporation is represented by Mr. Biswajit Mukherjee, learned advocate who submits that if appropriate representation is made by the petitioner that can be considered in accordance with law.

Having considered the submissions made on behalf of the respective parties and on perusal of materials available on record specially bill which has been generated, page 23 of the writ petition, liberty is granted to the petitioner to make representation to the Assessor/Collector (North), respondent no. 2 within a period of fortnight from date questioning fixation of annual valuation of the aforesaid premises. If such representation is made within the aforesaid time the respondent no. 2 shall take a decision in accordance with law within a period of 8 (eight) weeks thereafter after granting opportunity of hearing to the petitioner or his representative and the respondent no. 2 shall pass a reasoned order. The decision to be taken by the respondent no. 2 shall be communicated to the petitioner within 1 (one) week thereafter.

With the aforesaid direction, writ petition stands disposed of.

Applications, if pending, also stand disposed of.

However, there shall be no order as to costs.

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

(Saugata Bhattacharyya, J.)