

W.P.A. 14403 of 2017

Abhijit Mandal & Ors.
Vs.
The State of West Bengal & Ors.

Mr. Tapash Kr. Bhattacharji
...for the petitioners

The writ petition is taken up for consideration in presence of the learned advocate representing the petitioner. However, no one is representing North Dum Dum Municipality as well as private respondents today.

The grievance of the petitioners is issuance of mutation certificate in favour of the private respondents which at page 50 (annexure P6) of the writ petition based on order dated 20th April, 2013 passed in connection with holding No. 28/30, Alipur Road, Ward No. 31 under the said North Dum Dum Municipality.

It has been submitted by Mr. Bhattacharji, learned advocate representing the petitioners that without considering the relevant facts the impugned mutation certificate has been issued in favour of the private respondents and the order passed on behalf of North Dum Dum Municipality dated 20th April, 2013 is questioned.

Be that as it may, since petitioners are aggrieved by issuance of the mutation certificate by the concerned authority of North Dum Dum Municipality leave is granted to the petitioners to make a composite representation to the concerned authority of North Dum Dum Municipality

within 4 (four) weeks from date questioning the mutation certificate issued in favour of the private respondents. If such representation is made within the aforesaid time the concerned authority of North Dum Dum Municipality is directed to take decision in accordance with law within a period of 8 (eight) weeks thereafter after granting opportunity of hearing to the petitioners, private respondents and other interested parties, if any.

The decision to be taken by the Municipality shall be communicated to the petitioners within 2 (two) weeks thereafter.

With the aforesaid direction, the writ petition stands 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.)