

Item No. 4

13.12.2022
Ct-24

In The High Court At Calcutta
Constitutional Writ Jurisdiction
Appellate Side

WPA 14197 of 2021
Mirza Ali Nasar

v.

The Kolkata Municipal Corporation & Ors.

Mr. Mukteswar Maity
... for the petitioner.

Mr. Biswajit Mukherjee
Mr. Piyali Sengupta
... for KMC.

Affidavit-of-service has not been filed. There is no proof of service upon the respondent nos. 7 to 10. None appears on behalf of the aforesaid respondents.

The grievance of the petitioner is that the representation filed on behalf of the petitioner before the Assessor-Collector (South) in April 2018 has not been considered.

In view of the order that I propose to pass, no prejudice shall be caused to the non-appearing respondents, if the writ petition is disposed in the following manner.

Accordingly, the instant writ petition is disposed of by directing the respondent no. 5 being the Assessor-Collector (South) to consider and dispose of the representation filed on behalf of the petitioner on April 13, 2018 in accordance with law after giving reasonable opportunity of hearing to all the necessary parties and pass a reasoned order and communicate the same to the parties. The aforesaid exercise shall be concluded at the

earliest, but positively within a period of twelve weeks from the date of communication of a copy of this order.

It is made clear that this Court has not entered into the merits of the claim of the petitioner and all points are left to be decided by the aforesaid respondent at the time of consideration of the representation of the petitioner.

Learned advocate for the petitioner is directed to forward a copy of the representation filed before the Assessor-Collector (South) on April 13, 2018 at the time of communicating the order of this Court.

The writ petition stands disposed of.

Urgent certified photocopy of this order, if applied for, be supplied to the parties expeditiously on compliance of usual legal formalities.

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(Amrita Sinha, J.)