

14-12-2022
Item No.15
Subrata
Bhattacharyya

IN THE HIGH COURT AT CALCUTTA
Constitutional writ Jurisdiction
Appellate Side

WPA No.19554 of 2022
Karttik Ghosh

-vs-

Bidhannagar Municipal Corporation & Ors.

Mr. Rupayan Deb
Ms. Priya Nandy
Ms. Varsha Roy ...for the petitioner

Mr. Sirsanya Bandopadhyay
Mr. Arka Kumar Nag
Mr. Tirthankar Dey ...for the Corporation

The petitioner seeks mutation. He purchased the property in question at H/1, 3/8, Dilip Zarda Bagan, Aswininagar, Baguiati, Kolkata – 700159 under the jurisdiction of Bidhannagar Municipal Corporation on October 21, 2020.

The Corporation has sought for the death certificate of Sadyut Dey Roy who happens to be the predecessor-in-interest of the vendors of the petitioner. The legal heir certificate executed by the First-Class Judicial Magistrate, the mutation certificate and the tax receipt in the name of Late Sadyut Dey Roy have also been directed to be submitted for the purpose of mutation of the subject premises.

Learned advocate representing the petitioner submits that the petitioner does not have a copy of any of the documents mentioned hereinabove. The petitioner only has a copy of the building plan allegedly handed over by the vendors of the petitioner at the time of execution of the indenture of sale.

It will be open for the petitioner to bring the aforesaid facts to the notice of the Bidhannagar Municipal Corporation by filing appropriate representation so that necessary steps may be taken in the matter for proceeding with the mutation case.

The Corporation is directed to take steps pursuant to the information provided by the petitioner in response to the communication being Memo No.2612/BMC/GS/2022 dated December 7, 2022 which has been handed over to the learned advocate for the petitioner in court today.

Steps shall be taken at the earliest, but positively within a period of eight weeks from receipt of the representation from the petitioner. An opportunity of hearing be granted to the necessary parties, if required.

With the above, the writ petition stands disposed of. No order as to costs.

A copy of the memo dated December 7, 2022 issued by the Law Officer, Bidhannagar Municipal Corporation to the petitioner is retained with the records.

Urgent certified copy of this order, if applied for, shall be made available to the parties on compliance of all legal formalities.

[Amrita Sinha, J]

