

15.03.2022
Item No.19
Court No.18
AJ.

C.O. 3847 of 2019

The Kolkata Municipal Corporation

-Vs-

Shiv Ratan Mall

Mr. Alok Kumar Ghosh,
Mr. Fazlul Haque.
....for the petitioner.

Mr. Alok Kumar Ghosh, learned Counsel appears on behalf of the petitioner, Kolkata Municipal Corporation files affidavit of service, which is taken on record.

None appears on behalf of the opposite party in spite service.

The judgment and order dated May 10, 2018 passed by the 2nd Bench of the Municipal Assessment Tribunal, Kolkata Municipal Corporation in Municipal Appeal No. 1827 of 2012 is under challenge in the present application under Article 227 of the Constitution of India.

The Tribunal by the order impugned has revised the annual valuation of the flat no. 4B at the 4th floor of the premises no. 9A, Jatindra Mohan Avenue, Kolkata – 700006 assessed by the Hearing Officer, on the basis of its earlier decision passed in Municipal Appeal No. 1819 of 2012.

The said decision of the Tribunal passed in the said Municipal Appeal No. 1819 of 2012 has

already been set aside by this Court in C.O. 3368 of 2017, by the judgment and order dated December 12, 2018.

The connected Municipal Appeal No. 1827 of 2012 is, therefore, required to be decided afresh.

The order of the learned Tribunal under challenge is, therefore, set aside.

C.O. 3847 of 2019 is disposed of by directing the Tribunal to decide the connected Municipal Appeal No. 1827 of 2012 afresh as expeditiously as possible in accordance with law.

There shall be no order as to costs.

Urgent photostat certified copy of this order, if applied for, be supplied to the parties subject to compliance with all requisite formalities.

(Biswajit Basu, J.)