

Item No. 16

29.11.2022
Ct-24

In The High Court At Calcutta
Constitutional Writ Jurisdiction
Appellate Side

WPA 24410 of 2022

Md Israil Khan

-vs.-

The State of West Bengal & Ors.

Mr. Mujibar Ali Naskar
Md. Ali Ahasan
... for the petitioner.

Mr. Susovan Sengupta
Mr. Subir Pal
... for the respondent nos. 6 & 7.

Mr. Sandipan Banerjee
Mr. Santanu Chatterjee
... for HMC.

The matter relates to the Premises No. 36 Nanda Ghosh Road, Ward No. 60 under the jurisdiction of the Howrah Municipal Corporation.

The Deputy Controller, Thika Tenancy Department, Howrah has passed an order on January 30, 2017 clearly mentioning that the said property is not a thika property and if anyone submits return in form 'A' in respect of the said property, the same will be treated as cancelled. The dealing assistant was directed to rectify the register accordingly.

Relying on the order passed by the Deputy Controller, Thika Tenancy Department, the petitioner applied before the Howrah Municipal Corporation praying for recording his name as owner of the said premises by deleting the name of the Thika Controller as owner. The said application was received by the

Corporation on September 27, 2022. The petitioner complains that the same is yet to be disposed of.

Learned advocate representing the Howrah Municipal Corporation is not ready with proper instruction.

As it appears that the prayer of the petitioner for recording his name as owner is pending consideration before the Howrah Municipal Corporation, accordingly the instant writ petition is disposed of by directing the Howrah Municipal Corporation to consider the representation filed by the petitioner on September 27, 2022 and intimate the petitioner the formalities that are to be complied with for recording his name as owner of the subject premises.

The Corporation shall intimate the petitioner the fate of his representation at the earliest, but positively within a period of eight weeks from the date of communication of a copy of this order.

Necessary consequential steps shall be taken by the Corporation to amend the records relating to the aforesaid premises.

The writ petition stands disposed of.

Affidavit-of-service filed in Court today is taken on record.

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.)