

13
14.11.2022
d.p.

**In The High Court At Calcutta
Constitutional Writ Jurisdiction
Appellate Side**

W.P.A 24615 of 2022

**Nabi Rasul Ansari
-versus
Hooghly-Chinsurah Municipality & Ors.**

**Mr. Susovan Sengupta,
Mr. Subir Pal.
...For the Petitioner.**

**Mr. Tapas Kumar Ghose,
Mr. Tanmoy Chowdhury.
...For the Respondent
Nos. 1 to 4.**

**Mr. Sukanta Ghosh.
...For the Respondent No.5.**

The petitioner as well as the private respondent both claim ownership of the property in question.

It appears that both the parties applied for mutation of their names in the records of the Hooghly-Chinsurah Municipality.

The Municipality by a notice dated 13th September, 2022 requested both the parties to attend the hearing on 16th September, 2022.

The parties submit that the hearing has been concluded but final order is yet to be passed.

The Municipality admits that final order has not been passed as yet on conclusion of the hearing for mutation.

As regards the claim of ownership, it will be open for the parties to approach the appropriate forum for relief.

Neither the Court sitting in the writ jurisdiction nor the Municipality will be the proper and appropriate authority to decide the issue of ownership.

The Municipality is directed to pass the final order with regard to the applications made by the parties for mutation and communicate the same to the parties positively within a period of two weeks from the date of communication of a copy of this order.

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.

(Amrita Sinha, J.)