

OD-2

ORDER SHEET

WPO/672/2022

IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION
ORIGINAL SIDE

MOLLY SAHA AND ANR.
Versus
THE KOLKATA MUNICIPAL CORPORATION & ANR.

BEFORE:
The Hon'ble JUSTICE SHAMPA SARKAR
Date : 10th February, 2022.

[Via Video Conference]

Appearance:
Mr. Avirup Chatterjee, Adv.
For the petitioners.

Mr. Gopal Chandra Das, Adv.
Ms. Era Ghose, Adv.
For the K.M.C.

The Court :- The only prayer of the petitioners in this writ petition for the moment is that the competent authority of the Kolkata Municipal Corporation must dispose of the application filed by the petitioners for separation of holding and mutation of the same. The petitioners submit that pursuant to an application filed by the petitioners, mutation and separation case No. P/002/07-Feb-20/8444 was initiated by the Corporation. It is submitted that the said case has not yet been disposed of. It is prayed that the authorities may be directed to dispose of the same as expeditiously as possible.

Mr. Das submits that he is yet to obtain instructions with regard to the fate of the mutation case.

The Court does not find it necessary to keep the writ petition pending. In view of the innocuous prayer made by the petitioners, the writ petition is disposed of with a direction upon the competent authority of the Kolkata Municipal Corporation to dispose of the mutation case and conclude the same, in accordance with law, upon hearing the petitioners and, if necessary, any other interested parties during such hearing. A reasoned order shall be passed and communicated to the parties. If the Kolkata Municipal Corporation holds in favour of the petitioners, the necessary orders shall be given to the department concerned to implement the order. If the concerned authority does not accept the prayer for mutation then the decision shall be reasoned.

The entire exercise shall be completed within a period of four months from the date of communication of this order.

(SHAMPA SARKAR, J)

snn.