

OD-4

ORDER SHEET

WPO/1831/2022

IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION
ORIGINAL SIDE

UPSWING TRADECOM PRIVATE LIMITED AND ANR.
Versus
KOLKATA MUNICIPAL CORPORATION AND ORS.

BEFORE:

The Hon'ble JUSTICE SHAMPA SARKAR

Date : 4th April, 2022.

Appearance:
Mr. Aritra Basu, Adv.
Mr. Anujit Mookherji, Adv.
For the petitioners.

Mr. Biswajit Mukherjee, Adv.
Mr. Debangshu Mondal, Adv.
For the K.M.C.

The Court:- The petitioners submit that the Kolkata Municipal Corporation and its authority have failed and neglected to grant mutation in the names of the petitioners as per the application for mutation. Such application has been made in respect of the land measuring 10 cottahs 13 chittacks situated at premises No. 70B, Gobindapur Road, Kolkata-700045.

Mr. Mukherjee, learned Advocate appearing on behalf of the Kolkata Municipal Corporation, submits that, when the application for mutation was being processed rival claims have emerged.

Under such circumstances, the writ petition is disposed of with a direction upon the Assessor Collector, Tolly Tax Department, Kolkata Municipal Corporation, to dispose of the prayer of the petitioners for mutation in terms of the documents which have been annexed to the writ petition. While taking a decision on the said application, the petitioners as also the rival claimants shall be heard. A reasoned order shall be communicated to the parties. If it is found that there are irregularities or deficiencies either in the application or in the documents to be considered for such mutation, the reasons shall be disclosed in the order. If the Corporation finds that the documents necessary for mutation are in order, then such mutation shall be granted.

The entire exercise shall be completed within a period of four months from the date of communication of this order by the Assessor Collector, Tolly Tax Department, Kolkata Municipal Corporation.

A copy of the writ petition along with the server copy of this order shall be served upon the Assessor Collector, Tolly Tax Department, Kolkata Municipal Corporation, for necessary compliance of this order.

The writ petition is, thus, disposed of.

All parties are to act on the basis of the server copy of this order.

(SHAMPA SARKAR, J)