

ORDER SHEET

WPO/2201/2022
IN THE HIGH COURT AT CALCUTTA
Constitutional Writ Jurisdiction
ORIGINAL SIDE

SK. FAIZER HUSSAIN
Versus
THE KOLKATA MUNICIPAL CORPORATION & ORS.

BEFORE:
The Hon'ble JUSTICE AMRITA SINHA
Date : 13th June, 2022

Appearance:

*Mr. Amit Gupta, Adv.
For petitioner
Mr. Swapan Debnath, Adv.
Mr. Dwijadas Chakraborty, Adv.
For Kolkata Municipal Corporation*

The Court: The grievance of the petitioner is that no final order has been passed even though hearing regarding mutation in respect of the premises no.20A, Palm Avenue was conducted on 5th April, 2021 and lastly on 13th January, 2022. A joint inspection was held on 24th February, 2022. The petitioner prays for a direction upon the respondent authorities to pass a final order in respect of the hearing that was conducted against mutation of the aforesaid premises.

None appears on behalf of the private respondent despite service.

As it appears that the matter was already heard on a number of occasions and joint inspection was also conducted by the officers of the Kolkata Municipal Corporation, accordingly it is incumbent upon the

concerned authority to immediately pass an order and let the parties know the fate of the hearing.

In view of the above, the instant writ petition is disposed of by directing the Assessor Collector (South), Kolkata Municipal Corporation to take a decision with regard to the mutation in respect of the said premises at the earliest but positively within a period of three months from the date of communication of this order. If the said authority is of the opinion that a further hearing is required, then necessary steps shall be taken in the matter and final order shall be passed within the time specified herein above.

The petitioner is directed to forward a copy of all the hearing notices and the notice regarding joint inspection to the aforesaid authority at the time of communicating the order of the Court.

The writ petition stands disposed of.

Affidavit of service filed in Court is taken on record.

Urgent photostat certified copy of this order, if applied for, be supplied to the parties upon compliance of usual legal formalities.

(AMRITA SINHA, J.)

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