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ORDER SHEET

WPO No.2658 of 2022

IN THE HIGH COURT AT CALCUTTA
Constitutional Writ Jurisdiction

ORIGINAL SIDE

M/S. ONKAR PARIVAHAN FINANCE PRIVATE LIMITED & ANR.

VS

THE KOLKATA MUNICIPAL CORPORATON & ORS.

BEFORE :

The Hon'ble JUSTICE AMRITA SINHA

Date: 24th November, 2022.

Appearance:

Mr. Mainak Bose, Adv.
Mr. Shankarshan Sarkar, Adv.
..for the Petitioners.

Mr. Biswajit Mukherjee, Adv.
Mr. Saurav Chaudhury, Adv.
Mr. Debangshu Mondal, Adv.
..for KMC.

Mr. Suvadeep Sen, Adv.
..for Respondent Nos.9 & 18.

The Court:-Affidavit-in-opposition filed on behalf of the Kolkata Municipal Corporation is taken on record.

The matter relates to the premises No.159, Rabindra Sarani, Kolkata-700 007.

The petitioners were the owners of the aforesaid plot. Thereafter, the petitioners have sold out separate units constructed thereon in favour of the private respondents.

Details of the sale made by the petitioners including the names of the purchasers, area, deed number and the date of the registration have been forwarded to the Kolkata Municipal Corporation from time to time.

The petitioners seek apportionment of property tax in respect of the said premises.

The learned advocate representing the Kolkata Municipal Corporation submits that for apportionment an application has to be made in the prescribed format being Form A-42. If the application is made in the said format, the Kolkata Municipal Corporation will certainly take into account the details and do the needful for apportionment of property tax.

It appears from the submissions made on behalf of the parties and upon perusal of the materials on record that the formal application in Form A-42 has not been submitted before the Kolkata Municipal Corporation seeking apportionment.

Parties will be at liberty to make application in the prescribed format seeking apportionment of property tax. In the event such an application is made, the same shall be considered by the concerned authority of the Kolkata Municipal Corporation in accordance with law, at the earliest.

Parties shall be intimated the share of taxes that they are liable to pay to the Kolkata Municipal Corporation on account of property tax.

The writ petition stands disposed of.

Affidavit of service filed by the petitioners in Court today is taken on record.

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