

OD-3

ORDER SHEET

WPO No. 3041 of 2022
IN THE HIGH COURT AT CALCUTTA
Constitutional Writ Jurisdiction
ORIGINAL SIDE

CAESAR SEN
-VS-
THE KOLKATA MUNICIPAL CORPORATION & ORS.

BEFORE:
The Hon'ble JUSTICE AMRITA SINHA
Date: 28th November, 2022.

Appearance:
Mr. Abhishek Sikdar, Adv.
Mr. Aniruddha Mitra, Adv.
Ms. S. Dey, Adv.
... for the petitioner.

Mr. Avirup Chatterjee, Adv.
Mr. Soumo Roy, Adv.
..for Respondent No.7.

Mr. Achintya Kumar Banerjee, Adv.
Ms. Era Ghosh, Adv.
... for KMC.

The Court:- The petitioner alleges that the respondent no.7 obtained certificate of enlistment from the Kolkata Municipal Corporation upon misrepresentation and fraud. Objection filed on behalf of the petitioner before the respondent authority is pending consideration.

Learned advocate representing the private respondent denies the said allegations.

Learned advocate representing the Kolkata Municipal Corporation is yet to receive any instruction in the matter.

As it appears that the objection filed on behalf of the petitioner against the grant of certificate of enlistment in favour of the respondent no.7 is pending consideration at the end of the respondent authority, accordingly,

the instant writ petition is disposed of by directing the respondent no.3, Deputy License Officer, Kolkata Municipal Corporation to consider the objection filed on behalf of the petitioner on 1st November, 2022 strictly in accordance with law after giving a reasonable opportunity of hearing to all the necessary parties and pass a reasoned order and communicate the same to the parties. Consideration shall be made at the earliest, but positively within a period of ten weeks from the date of communication of this order.

Learned advocate for the petitioner is directed to forward a copy of the representation received by the respondent authorities on 1st November, 2022 at the time of communicating the order of the Court.

The writ petition stands disposed of.

Leave to file affidavit of service in course of the day.

Leave granted to the learned Advocate-on-record of the petitioner to correct the designation of the respondent no.3 in the cause title of the writ petition.

Leave to file Vakalatnama in the department by the leaned advocate on behalf of the private respondent.

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

(AMRITA SINHA, J.)