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17.04.2023
d.p.

**In The High Court At Calcutta
Constitutional Writ Jurisdiction
Appellate Side**

W.P.A 2021 of 2023

**Smt. Malati Maity
-versus
The State of West Bengal & Ors.**

**Mr. Sarajit Sen,
Mr. Tapas Singha Roy.
...For the Petitioner.**

**Mr. Sk. Md. Galib,
Ms. Jyotsna Roy Mukherjee.
...For the State.**

**Mr. Triptimoy Talukder,
Mr. Swapan Kumar Bhattacharyya,
Mr. Abhiraj Tarafdar.
...For the Respondent
Nos. 2 to 5.**

**Mr. Sukanta Chakraborty,
Mr. Anindya Halder.
...For the Respondent
Nos. 6 and 7.**

Affidavit-of-service filed in Court today is taken on record.

The petitioner is allegedly aggrieved by the inaction on the part of the Konnagar Municipality to grant an opportunity of hearing to the petitioner prior to effecting mutation in favour of the private respondents.

The writ petition was filed in January 2023 praying for a direction upon the Municipality to consider the objection filed by the petitioner.

Learned advocate appearing for the private respondents produces the mutation certificate before this Court which was issued in their favour by the Municipality in November 2022.

It appears that prior to filing the present writ petition, mutation certificate was already issued in favour of the private respondents.

The cause of action for filing the instant writ petition no longer survives.

In the event the petitioner is aggrieved by the act of the Municipality in issuing the mutation certificate in favour of the private respondents, then necessary step is required to be taken by the petitioner to challenge the same, if so advised.

No relief can be granted to the petitioner in the instant case. The writ petition fails and is hereby dismissed.

Urgent certified photocopy of this order, if applied for, be supplied to the parties expeditiously on compliance of usual legal formalities.

(Amrita Sinha, J.)