

Item No. 17

08.02.2023
Ct-24

In The High Court At Calcutta
Constitutional Writ Jurisdiction
Appellate Side

WPA 3061 of 2020
Merlin Projects Limited & Ors.
v.
Kolkata Municipal Corporation & Ors.

Mr. Arindam Banerjee
Ms. Rajshree Kajaria
... for the petitioners.

Mr. Satyajit Talukdar
... for KMDA.

Mr. Alok Kumar Ghosh
Mr. Swapan Kumar Debnath
... for KMC.

The petitioners, in response to hearing notices issued by the Kolkata Municipal Corporation on November 25, 2019, filed objection on December 24, 2019 objecting to the methodology adopted by the Corporation in assessing the property of the petitioners.

It appears that the objection is yet to be considered and disposed of by the Hearing Officer.

As it appears that the objection filed by the petitioners is pending consideration at the end of the Kolkata Municipal Corporation, accordingly, the present writ petition is disposed of by directing the Municipal Commissioner, Kolkata Municipal Corporation, being the respondent no. 2, to take a decision on the objection filed by the petitioners on December 24, 2019 strictly in accordance with law after giving reasonable opportunity of hearing to the petitioners and all other necessary

parties and pass a reasoned order within a period of twelve weeks from the date of communication of a copy of this order and communicate the reasoned order to the parties immediately thereafter.

The petitioners will be entitled to rely upon the provisions of law and the decisions delivered by the Court in similar issues at the time of hearing.

It is made clear that this Court has not entered into the merits of the claim of the petitioners and all points are left open to be decided by the aforesaid respondent at the time of consideration of the objection.

Learned advocate for the petitioners is directed to forward a copy of the hearing notices and the objection filed by the petitioners to the aforesaid respondent at the time of communicating the order of the Court.

The writ petition stands disposed of.

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

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(Amrita Sinha, J.)