

WPA 7957 of 2022

Gita Rani Halder
Vs.
The State of West Bengal & Ors.

Adv. Durga Prasad Dutta,
Adv. Souvik Sen,
Adv. Sumanta Ganguly,
...for the petitioner.
Adv. Soumitra Bandyopadhyay,
Adv. Priyabrata Batabyal,
...for the State.

Heard learned counsels for the parties.

The petitioner complains that though her property was rented to the State respondents in 1984 and there was periodic revision of rent made by the authority, the respondent authorities have assessed the rent at Rs.7135/- with effect from 14th November, 2019 till 13th November, 2022 without taking into consideration the G.O. 2126 (80-LL/N/1R-49-2012) dated 29th April, 2013.

It is submitted on behalf of the State respondents that since the petitioner is aggrieved by the assessment of rent made by the concerned authority on 8th July, 2021, the authority be directed to reconsider the same in accordance with law.

The G.O. dated 29th April, 2013 calls for enhancement of rent at the rate of 20 per cent for three consecutive years and assessment to be made at the present market rate prevalent in the area. The assessment

of rent does not appear to have been made in terms of the G.O.

Accordingly, the writ petition being WPA 7957 of 2022 is disposed of directing the 6th respondent to reconsider the prayer of the petitioner and reassess the rent payable to the petitioner in terms of the G.O. dated 29th April, 2013 within six weeks from the date of communication of this order upon giving reasonable opportunity of hearing to all the interested persons including the petitioner, in accordance with law.

The decision taken by the authority shall be communicated to the petitioner within a week thereof.

Since no affidavit is invited, the allegations contained in the petition are deemed not to be admitted.

There shall however, be no order as to costs.

Urgent certified website copy of this order, if applied for, be furnished to the parties upon compliance of necessary formalities.

(Suvra Ghosh, J.)