

04. 16.10.2023  
bd. Ct.15

WPA 22387 of 2014

Sri Birendra Deb Manna

-vs-

Kolkata Municipal Corporation & Ors.

Mr. Krishna Das Poddar ... for the petitioner.

Mr. Biswajit Mukherjee

Mr. Debangshu Mondal ... for KMC

Petitioner by instituting this writ petition, inter alia, has prayed for correction of assessment record in connection with the premises of the petitioner which is owned by petitioner as one of the co-sharers. According to the petitioner the correct holding number of his premises is 3, Hingan Zamader Lane, Kolkata- 700046, but in the assessment record of KMC the same has been recorded as 3, Asgar Mistry Lane, Kolkata- 700046. In support of contention of the petitioner notice of this Court has been drawn to page 21 annexure P-2 to this writ petition wherefrom it appears that Chief Valuer and Surveyor based on smart map has observed the proper holding number of the petitioner's premises should be read as 3, Hingan Zamader Lane, Kolkata- 700046.

KMC is represented by Mr. Biswajit Mukherjee, learned advocate who submits that appropriate authority to incorporate correction in the assessment record of the corporation in connection with the premises of the petitioner is Assessor Collector (South) being respondent no. 4.

In view of the contention made on behalf of

parties this Court directs the Assessor Collector (South) being respondent no. 4 to take final decision relating to the correction of assessment records in connection with the aforesaid premises of the petitioner within a period of eight weeks from the date of communication of this order after granting opportunity of hearing to the petitioner or his representative and other interested parties. Before fixing the date of hearing at least seven days notice shall be given to the petitioner and other interested parties. While taking decision the respondent no. 4 shall have due regard to the observation made by the Chief Valuer and Surveyor which is at page 21 of this writ petition. The decision to be taken by the Assessor Collector (South) is to be communicated to the parties within one week thereafter.

With the aforesaid direction the writ petition stands disposed of.

There shall be no order as to costs.

Urgent photostat certified copy of the order, if applied for, be given to the parties, upon usual undertakings.

**(Saugata Bhattacharyya, J.)**