

Item No.13

In the High Court At Calcutta
Constitutional Writ Jurisdiction
Appellate Side

12.12.2023
Ct-24

WPA 23735 of 2023
Kalyan Brata Roy & Ors.

v.

The State of West Bengal & Ors.

Ms. Kum Kum Mukherjee
... for the petitioners.

Mir Anuruzzaman
... for the Municipality.

The petitioners are aggrieved by the assessment of tax by the Rajpur-Sonarpur Municipality.

From the supplementary affidavit filed by the petitioners in Court today it appears that a sum of Rs. 13,63,094/- including interest from the period 1st quarter of 2016-17 to 4th quarter of 2022-23 is outstanding in respect of holding no. 20.

The petitioners have been directed to pay the full amount with interest within sixteen days, failing which legal action will be taken under Section 152 of the West Bengal Municipal Act, 1993.

The petitioners have already filed a representation before the Municipality highlighting the difficulty in making the said payment and also mentioning the error of calculation in determination of the property tax. Prayer has been made for consideration of the said representation.

Learned advocate representing the Municipality submits, upon instruction that, huge sum of money is due and payable by the petitioners from the year 2011.

As it appears that the petitioners have already objected to the demand that has been raised by the Municipality, accordingly, the Municipality is directed to consider the objection filed by the petitioners in accordance with law after giving reasonable opportunity of hearing to the necessary parties and to pass a reasoned order and communicate the same to the parties.

The Municipality shall consider the matter at the earliest but positively within a period of six weeks from the date of communication of this order.

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.)