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29.03.2023
d.p.

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

W.P.A 25893 of 2022

**Najimuddin Halder
-versus-
The Kolkata Municipal Corporation & Ors.**

**Mr. Indrajit Bhattacharjee.
...For the Petitioner.**

**Mr. Biswajit Mukherjee,
Ms. Tanushree Dasgupta,
Ms. Komal Shaw.
...For KMC.**

The matter relates to mutation of Holding No. S/59, Halder Para Lane (erstwhile Murray Road), Kolkata-700018, Mouza-Garden Reach, Khatian No. 29, Dag No. 13 presently under Ward No. 147, Borough-XV of the Kolkata Municipal Corporation.

From the documents annexed to the writ petition, it appears that the matter was heard by the Assessor Collector (GRU), Kolkata Municipal Corporation, Borough-XV in the year 2022 and the petitioner was directed to submit relevant documents in support of his claim.

The petitioner asserts that relevant documents have been submitted and the petitioner participated in the hearing process. No final order has yet been passed.

Learned advocate appearing for the Kolkata Municipal Corporation submits, upon instructions, that

the erstwhile officer who conducted the hearing has been transferred.

It has been submitted that fresh hearing may be afforded to the parties and the matter may be decided.

The private respondents have refused to accept service of the writ petition.

In view of the above, the instant writ petition is disposed of by directing the respondent no.3 being the Assessor-Collector, Garden Reach Unit to consider and decide the issue that is pending before the authority with regard to mutation of the subject premises in accordance with law, after giving a reasonable opportunity of hearing to all the necessary parties at the earliest, but positively within a period of twelve weeks from the date of communication of a copy of this order.

A reasoned order shall be passed and communicated to the parties immediately thereafter.

Learned advocate appearing for the petitioner is directed to forward copy of all relevant documents in support of his claim 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.

(Amrita Sinha, J.)