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29.03.2023
d.p.

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

W.P.A 26451 of 2022

**Tapan Kumar Mitra & Anr.
-versus-
The State of West Bengal & Ors.**

**Mr. Bhaskar Nandi.
...For the Petitioner.**

**Mr. Mir Anuruzzaman.
...For the Municipality.**

**Ms. Sipra Mazumder,
Ms. Sangeeta Roy.
...For the State.**

Affidavit-of-service filed in Court today is taken on record.

The grievance of the petitioners is that the Municipality is not issuing the mutation certificate in their names despite the fact that tax bills are raised in favour of the petitioners and the petitioners are paying taxes to the Municipality.

Learned advocate appearing for the Municipality submits, upon instructions, that the petitioners failed to supply the completion sanctioned plan and the completion certificate issued by the Municipality. Prior to issuance of the completion certificate, the petitioners have illegally and arbitrarily taken possession of the subject property.

It appears that a legal representation filed on behalf of the petitioners is pending consideration before the Municipality.

In view of the above, the instant writ petition is disposed of by directing the Chairman of the Municipality to intimate the petitioners the formalities that are required to be complied with for issuance of the mutation certificate in their favour.

On receipt of the necessary documents from the petitioners, the Municipality shall take steps to issue the mutation certificate upon payment of necessary fees and charges.

The Municipality shall consider the prayer of the petitioners seeking grant of mutation certificate in accordance with law, at the earliest, but positively within a period of eight weeks from the date of communication of a copy 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.

(Amrita Sinha, J.)