

Item No.15

In The High Court At Calcutta
Constitutional Writ Jurisdiction
Appellate Side

20.04.2023
Ct-24

WPA 27345 of 2022
Biswajit Majumder

v.

The State of West Bengal & Ors.

Mr. Soumitra Deb
Mr. Raj Kumar Sain
... for the petitioner.

Mr. Srikanta Paul
Ms. Oindrila Ghosh
... for the respondent no. 9.

Mr. Susanta Pal
Ms. Ananya Neogi
... for the State.

Mr. Biswajit Mukherjee
Mr. Gopal Chandra Das
... for KMC.

The petitioner prays for a direction upon the Kolkata Municipal Corporation to delete the names of the private respondents from their records and issue fresh mutation certificate in his favour.

The prayer of the petitioner has been opposed by the private respondents and the Kolkata Municipal Corporation.

The petitioner derives his right from a Deed of Gift allegedly executed in his favour.

It appears from the documents placed before this Court that the said Deed of Gift was set aside by a Court of competent jurisdiction.

The Kolkata Municipal Corporation took steps for mutating the names of the private respondents in compliance of the direction passed by this Court on February 28, 2008 in CPAN 746 of 2004 arising out of WP No. 10209(W) of 2003.

It does not appear that the Corporation acted in any manner not permitted in law. The Corporation has taken steps in accordance with the direction passed by the Court. The mutation was effected long back and there is no apparent reason to direct reopening of the mutation case all over again.

The writ petition stands dismissed.

Affidavit filed on behalf of the respondent no. 9 and reply thereto be taken on record.

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.)