

09 16.02.2023
rkd Ct.15

W.P.A. 30492 of 2017

Ratan Kumar Goel & Ors.

-vs-

The Kolkata Municipal Corporation & Ors.

Mr. Aditya Garodia,
Mr. Subhasish Sengupta,
Mr. Pintu Ghosh

....for the petitioners.

Mr. Tanmoy Roy,
Ms. Rashim Singhee

....for the respondent no.6.

Mr. Barin Banerjee,
Ms. Sima Chakraborty

....for the KMC.

The writ petition is taken up for consideration pursuant to the order dated 10th January, 2023 when Mr. Sengupta, learned advocate representing the petitioners has placed before this Court order dated 27th January, 2023 passed by the Director General, Water Supply Department, Kolkata Municipal Corporation. The said order dated 27th January, 2023 is taken on record.

It appears that the Director General being the respondent no.3 has passed the said order whereby petitioners have been permitted to pay the outstanding dues towards water tax as computed till 30th November, 2022 and it has also been decided that in the first year 60% of the outstanding amount to be paid in four quarterly

instalments and remaining 40% to be paid in the next year in similar fashion.

However, it has been submitted by the learned advocate representing the petitioners that penalty and interest have not been levied on the outstanding dues towards water tax, computed upto 30th November, 2022.

In view of such order passed by the respondent no.3, this Court directs the petitioners to start making payment by depositing first instalment as per the direction contained in the order dated 27th January, 2023 in the first week of March, 2023 and subsequently petitioners will go on paying the instalments accordingly.

However, it is made clear that in addition to make the payment of instalments as per the said order dated 27th January, 2023 of the respondent no.3 petitioners shall also pay the current water tax regularly.

With the aforesaid direction, the writ petition stands disposed of.

However, it is also made clear that if petitioners failed to pay the outstanding dues as directed by the respondent no.3 vide order dated 27th January, 2023 with effect from first week of March, 2023 appropriate steps shall be taken

against the petitioners in accordance with law without any reference to this Court.

There shall be no order as to costs.

Urgent photostat certified copy of this order, if applied for, be given to the learned Advocates for the parties on the usual undertakings.

(Saugata Bhattacharyya, J.)