

OD-6

ORDER SHEET

WPO No.179 of 2023
IN THE HIGH COURT AT CALCUTTA
Constitutional Writ Jurisdiction
ORIGINAL SIDE

SUSHILA DEVI AGARWAL & ORS.
-Versus-
THE STATE OF WEST BENGAL & ORS.

BEFORE:
The Hon'ble JUSTICE AMRITA SINHA
Date:3rd February, 2023.

Appearance:
Mr. Rabindra Kr. Jaiswal, Adv.
...for Petitioner.

Mr. Biswajit Mukherjee, Adv.
Mr. Dwijadas Chakraborty, Adv.
...for KMC.

The Court:- The petitioners are aggrieved by the amount indicated in the Letter of Intimation [LOI] dated 18th January, 2023. The petitioners filed representation on 21.01.2023 before the Municipal Commissioner and seek direction for consideration of the said representation.

As it appears that the Letter of Intimation permits the assessee to approach the concerned Assessor-Collector with copy of documents in support of the claim apropos the demand made and the petitioners filed the application within the time period mentioned in the Letter of Intimation, accordingly, the present writ petition is disposed of by directing the Assessor-Collector [South], Kolkata Municipal Corporation to take into consideration the representation filed by the petitioner on 21.01.2023 strictly in accordance with law after giving a reasonable opportunity of hearing to the petitioners and all other necessary parties at the earliest, but positively within a period of eight weeks from the date of communication of this order.

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

It is made clear that this Court has not entered into the merits of the claim of the petitioners and all points are left open to be decided by the aforesaid respondent at the time of consideration of the representation made by the petitioners.

Learned advocate appearing on behalf of the petitioners is directed to forward a copy of the representation dated 21.01.2023 along with all documents in support of the claim to the aforesaid respondent at the time of communicating the order of the Court.

The writ petition stands disposed of.

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

Urgent photostat certified copy of this order, if applied for, be supplied to the parties upon compliance of all legal formalities.

(AMRITA SINHA, J.)