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ORDER SHEET

WPO No.278 of 2023  
IN THE HIGH COURT AT CALCUTTA  
Constitutional Writ Jurisdiction  
ORIGINAL SIDE

SAJID ANWAR & ORS.

-Versus-

STATE OF WEST BENGAL & ORS.

BEFORE:

The Hon'ble JUSTICE AMRITA SINHA

Date:3rd April, 2023.

Appearance:

Mr. Supratik Basu, Adv.  
...for Petitioners.

Mr. Biswajit Mukherjee, Adv.  
Mr. Debangshu Mondal, Adv.  
...for KMC.

Mr. Shashwat Nayak, Adv.  
Mr. Aafreen Parveen, Adv.  
Ms. Afreen Begum, Adv.  
...Respondent no.12.

The Court:-The petitioners' representation before the Kolkata Municipal Corporation objecting to the mutation of the names of the private respondents in the records of the Kolkata Municipal Corporation is pending disposal.

The petitioners submit that they are the heirs and legal representatives of one Late Zaibun Nessa. After her death the petitioners being some of the legal representatives of the deceased seek to mutate their names in the records of the Kolkata Municipal Corporation.

The property tax bill issued by the Kolkata Municipal Corporation is annexed to the writ petition. It appears therefrom that the property in question is a thika property. The names of the thika tenants are recorded therein.

The private respondent no.12 opposes the prayer of the petitioners.

It appears from the submissions made on behalf of both the parties that there are issues with regard to the title of the property in question.

The Kolkata Municipal Corporation will not be the appropriate authority to decide the title of the parties and where their names are to be incorporated in the records maintained by the Kolkata Municipal Corporation.

In view of the above, the instant writ petition is disposed of by granting liberty to the petitioners to approach the appropriate forum for declaration of their rights and title. If petitioners are successful in getting their title declared in respect of the property in question, then they may approach the Corporation for mutation of their names in the records maintained by the Kolkata Municipal Corporation.

At this stage, there is no scope for the Corporation to consider the representation submitted by the petitioners.

The writ petition stands disposed of.

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

Urgent certified photocopy of this order, if applied for, be supplied to the parties or their advocates on record expeditiously on compliance of usual legal formalities.

(AMRITA SINHA, J.)