

WPO No. 314 of 2023
IN THE HIGH COURT AT CALCUTTA
Constitutional Writ Jurisdiction
ORIGINAL SIDE

PRADIP KUMAR KHAN
VS.
THE KOLKATA MUNICIPAL CORPORATION AND ORS.

BEFORE:

The Hon'ble JUSTICE AMRITA SINHA

Date: 15th February, 2023.

Mr. Raghunath Chakraborty, Advocate for the Petitioner.

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

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

The prayer of the petitioner for updating the annual valuation and for adjusting the excess amount paid by him on account of the property tax bills raised by the Corporation is pending consideration.

It appears that order was passed by the Municipal Assessment Tribunal in MAA No.2295 of 2005 and MAA No.108 of 2017 fixing the annual valuation of the subject property.

The petitioner submits that the Corporation is yet to implement the order passed by the Municipal Assessment Tribunal. The petitioner has prayed for adjusting the excess amount which was paid. The representations filed by the petitioner from time to time are pending consideration.

Learned Advocate representing the Kolkata Municipal Corporation is yet to receive instruction as to whether any revision was filed against the order passed by the Municipal Assessment Tribunal.

Be that as it may, as it appears that the Municipal Assessment Tribunal passed certain directions in two appeals filed by the petitioner, the Corporation ought to act in accordance with the order passed.

The prayer of the petitioner seeking implementation of the order of the Municipal Assessment Tribunal is pending consideration.

In view of the above, the instant writ petition is disposed of by directing the Assessor Collector (South), Kolkata Municipal Corporation to take steps to implement the order passed by the Municipal Assessment Tribunal in MAA No.2295 of 2005 and MAA No.108 of 2017 and to dispose of the representation filed by the petitioner in accordance with law, after giving reasonable opportunity of hearing to the petitioner and pass reasoned order and communicate the same to the petitioner.

Steps shall be taken in the matter at the earliest, but positively within a period of twelve weeks from the date of communication of this order.

The aforesaid respondent shall take consequential steps in the matter, if required.

The writ petition stands disposed of.

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

(AMRITA SINHA, J.)