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ORDER SHEET
RVWO No.9 of 2023
IA NO: GA No.1 of 2023
Arising out of
WPO No.110 of 2023
IN THE HIGH COURT AT CALCUTTA
Constitutional Writ Jurisdiction
ORIGINAL SIDE

ASHISH CHOKHANI
VS.
STILTON DESIGNS PRIVATE LIMITED & ORS.

BEFORE:
The Hon'ble JUSTICE AMRITA SINHA
Date:11th April, 2023.

Appearance:
Mr. Ashish Chokhany
appears in person
... for the Applicant.

Mr. Biswajit Mukherjee, Adv.
Ms. Manisha Nath, Adv.
... for K.M.C.

Mr. Debdutt Mukherjee, Adv.
Ms. Nairanjana Ghosh, Adv.
Ms. Patrali Ganguly, Adv.
...for Respondent Nos. 1 & 2.

The Court:- An application for review has been filed by the respondent no.8 in the writ petition who is appearing in person. The application is followed by an application made under Section 5 of the Limitation Act seeking condonation of delay in filing the review.

The applicant appeared in person in the writ petition when the same was taken up for consideration on 30.01.2023 and the matter was disposed of after hearing all the parties including the applicant.

According to the applicant, the area occupied by the tenant i.e. the writ petitioner is incorrectly mentioned in the order dated 30.01.2023. It is further submitted that the writ petitioner/tenant of the subject property is also liable to pay tax in terms of the tenancy agreement.

It has been contended that no recovery proceeding was initiated against the predecessor in interest of the private respondents including the applicant.

Learned advocate representing the writ petitioner submits that the direction passed in the order dated 30.01.2023 has also been acted upon and the Corporation has removed the padlock from the tenanted premises of the petitioner no.1.

The Corporation has also initiated proceeding for recovery of property tax which is due and pending. Rent attachment has been undertaken by the Corporation on 06.02.2023.

The grounds mentioned in the application for review are not good enough to review the order dated 30.01.2023.

Be it recorded that the area of the tenanted premises and the terms and conditions of the tenancy agreement will guide the tenancy of the private parties. The figures recorded in the order dated 30.01.2023 is as per the submission made by the learned advocate representing the petitioner at the time of hearing.

The review application stands disposed of.

The application for condonation of delay in preferring the review application also 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 expeditiously on compliance of usual legal formalities.

(AMRITA SINHA, J.)