

OD-4

ORDER SHEET

WPO No.896 of 2023
IN THE HIGH COURT AT CALCUTTA
Constitutional Writ Jurisdiction
ORIGINAL SIDE

KANCHAN AGARWAL
VS.
THE KOLKATA MUNICIPAL CORPORATION & ORS.

BEFORE:
The Hon'ble JUSTICE AMRITA SINHA
Date:24th April, 2023.

Appearance:
Mr. Sounak Bhattacharya, Adv.
Mr. Sumitava Chakraborty, Adv.
..for the Petitioner.

Mr. Srijan Nayek, Adv.
Mr. Subhrangsu Panda, Adv.
..for KMC.

The Court:- The petitioner prays for a direction upon the Chief Valuer and Surveyor to consider and take a decision apropos the representation filed on behalf of the petitioner on 17.02.2023.

By the said representation, the petitioner has sought reply to a few queries.

After hearing the submissions of the parties, instead of deciding the matter on merits, the Court thinks it fit to direct the respondent no.2 or his delegate to decide the issue upon consideration of the representation filed on behalf of the petitioner in accordance with law, after giving reasonable opportunity of hearing to the petitioner and all other necessary parties and to pass a reasoned order in the matter at the earliest, but positively within a period of twelve weeks from the date of communication of this order and communicate the same to the parties immediately thereafter.

The respondent authority shall take into consideration the applicability of Section 357 of the C.M.C. Act, 1951 at the time of consideration of the representation of the petitioner.

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

The learned advocate for the petitioner is directed to forward a copy of the representation dated 17.02.2023 to the aforesaid respondent at the time of communicating the order of the Court.

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.)