

OD-6

ORDER SHEET
WPO No.1810 of 2023
IN THE HIGH COURT AT CALCUTTA
Constitutional Writ Jurisdiction
ORIGINAL SIDE

MD. KHALIQUE
VS.
THE KOLKATA MUNICIPAL CORPORATION & ANR.

BEFORE:
The Hon'ble JUSTICE AMRITA SINHA
Date:12th December, 2023.

Appearance:
Mr. Arindam Banerjee, Adv.
Mr. Saptarshi Datta, Adv.
Ms. Srinjita Ghosh, Adv.
Mr. P. Kanti Pal, Adv.
Mr. Debdut Hore, Adv.
... for the Petitioner.

Mr. Biswajit Mukerjee, Adv.
Mr. Swapan Kr. Debnath, Adv.
... for KMC.

The Court:- Petitioner seeks mutation in respect of the premises no. 89, Matheswartala Road, Kolkata-700046. The Assistant Assessor Collector, Ward No.66, Tolly Tax Department by a communication dated 13.09.2023 required the petitioner to submit certain documents.

Petitioner submits that all the documents sought for may not be required for the purpose of mutation. Petitioner has submitted a detailed representation along with supporting documents to the respondent authorities in response to the communication dated 13.09.2023. The same is yet to be considered.

Without entering into the merit of the claim of the petitioner as put forth in the representation filed by the petitioner, the instant writ petition is disposed of by directing Chief Manager (Tolly Tax Department) to consider the representation filed by the petitioner on 10.10.2023 in accordance with law after giving reasonable opportunity of hearing to the necessary parties

and by passing a reasoned order and communicating the same to the petitioner.

It will be open for the petitioner to rely upon all documents in support of his stand at the time of hearing. A decision 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.

Leave is granted to the learned Advocate-on-record of the petitioner to implead the Chief Manager (Revenue)/ Tolly Tax Department, Kolkata Municipal Corporation as party respondent in the instant writ petition.

Formality of serving a copy of the writ petition upon the added respondent stands dispensed with as the Corporation is represented by the learned advocate.

Petitioner is directed to forward a copy of the communication dated 13.09.2023 and the representation dated 10.10.2023 to the aforesaid respondent at the time of communicating the order of the Court.

In the event the respondent authority accepts the contention of the petitioner, then necessary consequential steps shall be taken in the matter.

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 expeditiously on compliance of usual legal formalities.

(AMRITA SINHA, J.)