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ORDER SHEET

WPO No.3373 of 2022
IN THE HIGH COURT AT CALCUTTA
Constitutional Writ Jurisdiction
ORIGINAL SIDE

MAHENDRA KUMAR NAHATA
VS.
THE KOLKATA MUNICIPAL CORPORATION & ORS.

BEFORE:
The Hon'ble JUSTICE AMRITA SINHA
Date:4th January, 2023.

Appearance:
Mr. Raghunath Chakraborty, Adv.
....for the Petitioner.

Mr. Biswajit Mukherjee, Adv.
Mr. Debangshu Mondal, Adv.
... for K.M.C.

The Court:-The matter relates to the premises no.10/3, Kasi Nath Mullick Lane, Kolkata-700073. The property in question was originally owned by the petitioner, the karta of a Hindu undivided family. Thereafter, the property was sold in favour of diverse purchasers from time to time.

The petitioner, upon receipt of the hearing notice dated 27th January, 2016, intimated the Hearing Officer as regards sale of the aforesaid property. The details of the purchasers were forwarded to the respondent authority.

By a communication dated 27th June, 2017 the Assistant Assessor Collector (North) Division-XV requested the petitioner to submit the sale deed in respect of the aforesaid premises to process his case. The petitioner responded to the same and forwarded the list of the purchasers by mentioning that he does not have the original sale deed of the individual purchases.

The Kolkata Municipal Corporation is yet to act in accordance with the representation filed by the petitioner.

The Assistant Assessor Collector (North) Division-XV again requested the petitioner by a communication dated 6th October, 2020 to submit the photocopy of the sale deed. The petitioner again replied to the same. Lastly, legal representation was served upon the Municipal Commissioner, Kolkata Municipal Corporation to look into the matter.

The petitioner is aggrieved as the Kolkata Municipal Corporation is going on raising property tax bills in his favour despite the fact that the property was sold long back.

Learned advocate representing the Kolkata Municipal Corporation submits that the representation of the petitioner may be considered by the Chief Manager, Revenue (North), Kolkata Municipal Corporation.

In view of the above, the instant writ petition is disposed of by directing the Chief Manager, Revenue (North), Kolkata Municipal Corporation being the respondent no. 3 herein to take a decision upon consideration of the legal representation filed on behalf of the petitioner in November, 2022 in accordance with law, after giving a reasonable opportunity of hearing to the petitioner or his authorized representatives and all other necessary parties and pass a reasoned order and communicate the same to the parties.

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.

Learned advocate for the petitioner is directed to forward copy of all the documents in support of his claim to the aforesaid respondent at the time of communicating the order of the Court.

The 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.)

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