

16.07.2024
Sl.No.13
Ct. No.15
S.A.

WPA 2640 of 2024

**Eastern Paper Mills Limited & Anr.
-vs-
State of West Bengal & Ors.**

Mr. Debasish Kundu
Mr. Atarup Banerjee
Mr. Arindam Sen
Mr. Saurav Basu
Mr. Samit Bhanja
Mr. Samrat Mukherji

...for the petitioners

Mr. Amales Roy
Ms. Mousumi Bhowal
Mr. Ishan Bhattacharya

...for the Municipality

Mr. Lalit Mohan Mahata
Mr. Ziaul Haque

...for the State

Let the affidavit of service filed by the petitioners be kept with the record.

Respondent nos.6 to 10 are not represented despite due notice.

It is the grievance of the petitioners that though the assessment record in respect of the relevant property has been recorded in their names since 1958, respondent no.2 has carried out mutation of records in favour of respondent nos. 6 to 10 without giving any notice to them.

The Municipality submits that the mutation was undertaken on the strength of a deed executed in the year 1958 in favour of respondent nos.6 to 10. The Municipality admits that no notice was given to the

petitioners before altering the assessment record in favour of respondent nos.6 to 10.

In that view of the matter, I set aside the order dated September 28, 2023 passed by the Chairperson, South Dum Dum Municipality.

The South Dum Dum Municipality shall hear the matter afresh upon giving opportunity of hearing to the petitioners as well as respondent nos.6 to 10 and take a fresh decision with regard to the mutation of the records in respect of the relevant property within a period of one month from the date of communication of this order.

With the aforesaid direction, **WPA 2640 of 2024** is disposed of.

(Kausik Chanda, J.)