

MI- 25.01.2024
298 Ct.15
rkd

W.P.A. 6316 of 2017

Mrs. Subhra Biswas & Ors.

-vs-

The State of West Bengal & Ors.

Ms. Debjani Ray,
Ms. Susmita Das,
Ms. Sohini Dey

....for the petitioners.

Mr. Alok Kumar Ghosh,
Mr. Biswajit Mukherjee,
Mr. Fazlul Haque

....for the KMC.

Petitioners have approached this Court with the present writ petition for reassessment and fixation of annual valuation of the second floor flat at premises No.35 A Townshend Road (Sakharam Dauskar Sarani), Kolkata 700025.

It has been submitted that the husband of the petitioner no.1 purchased the second floor of the aforesaid building and accordingly application was filed before the concerned authority of Kolkata Municipal Corporation by the husband seeking mutation. Subsequently husband has died and the petitioners have come up with the present writ petition.

It has been submitted by the petitioners that similar prayer has been allowed in favour of another person in connection with the ground floor of the aforesaid building.

However, Mr. Ghosh, learned advocate representing the Kolkata Municipal Corporation submits that there is no prayer made on behalf of the petitioners after the death of husband of petitioner no.1 for mutation of the second floor of the aforesaid building.

Since it has been submitted on behalf of the petitioners that mutation of the flat of the petitioners is required to be made immediately, leave is granted to the petitioners to make an application in the prescribed format within fortnight from date and on receipt of such application for mutation the concerned authority of Kolkata Municipal Corporation shall take decision in accordance with law within eight weeks thereafter after granting opportunity of hearing to the petitioners or their representative.

The decision to be taken by the concerned authority of Kolkata Municipal Corporation on mutation application of the petitioners shall be communicated within one week thereafter.

With the aforesaid direction, the writ petition stands disposed of.

However, there shall be no order as to costs.

Urgent photostat certified copy of this order, if applied for, be given to the learned

Advocates for the parties on the usual undertakings.

(Saugata Bhattacharyya, J.)