19.06.2024
Item No.9
Ct. No.15
S.A.

WPA 6512 of 2023
with
CAN 1 of 2024

Karttik Ghosh
-vs-
Bidhannagar Municipal Corporation & Ors.

Mr. Rupayan Deb
Ms. Priya Nandy
...for the petitioner
Mr. Sirsanya Bandopadhyay
Mr. Arka Kumar Nag
Mr. Tirthankar Dey
...for Bidhannagar Municipal Corporation

The petitioner seeks mutation of the assessment record of Bidhannagar Municipal Corporation in respect of the premises at H/1, 3/8 Dilip Zardabagan Aswini Nagar, Baguiati, Kolkata-700159.

In the earlier round of writ petition, a Coordinate Bench of this Court directed the Bidhannagar Municipal Corporation to consider the prayer for mutation by the petitioner.

It appears that the Corporation by an order dated February 27, 2023, directed the petitioner to furnish the following documents :

"i. Death Certificate of Late Sadyut Dey Roy.

ii. Legal Heir Certificate executed by the 1st Class Judicial Magistrate.

iii. Mutation Certificate and Tax receipt in the name of Late Sadyut Dey Roy.

iv. Copy of approved Building Plan issued by any competent authority.”

By filing this writ petition, the petitioner has challenged the said order dated February 27, 2023. It is the grievance of the petitioner that since he is not in possession of the documents, the corporation should not have directed him to furnish the documents.

It appears that the petitioner had purchased the relevant property from the legal heirs and successor of late Sadyut Dey Roy by a sale deed dated October 21, 2022.

The Bidhannagar Municipal Corporation does not dispute the genuineness of the deed.

I find substance in the stand of the petitioner that he cannot possess the death certificate of Late Sadyut Dey Roy or the legal heir certificate as asked by the corporation. The mutation, tax payment and the approved building plan can be verified by the Corporation itself from the records maintained by it.

In view of the above, I set aside the order dated February 27, 2023, passed by Bidhannagar Municipal Corporation.

Bidhannagar Municipal Corporation shall mutate the records in favour of the petitioner within a period of one month from the date of communication of this order subject to clearance of the arrear taxes and verification of the related documents from its own record in respect of the premises in question.

Accordingly, **WPA 6512 of 2023** is disposed of.

CAN 1 of 2024 is also disposed of.

(Kausik Chanda, *J.*)