

07-02-2024
Item No.16
Subrata
Bhattacharyya
AR(C)

IN THE HIGH COURT AT CALCUTTA
Constitutional Writ Jurisdiction
Appellate Side

WPA No.6782 of 2023
Sri Sambhu Mondal & Anr.
-vs-
The State of West Bengal & Ors.

Mr. Apurba Kumar Das
Mr. Arup Krishna Das ...for the petitioners

Ms. Tanusree Dasgupta ...for the Corporation

The petitioners are aggrieved by the act on the part of the Kolkata Municipal Corporation in revising the valuation of the property in question.

According to the petitioners, they filed a representation in January 2023, which has not been considered yet. They pray for a direction upon the Corporation for consideration of the same.

It appears that the assessment has finally been made and bills have been raised and served upon the petitioners. Documents have been annexed to the writ petition to show that date was fixed for hearing of reassessment of the valuation on December 19, 2022.

Though the petitioners submit that no prior opportunity of hearing was given to them prior to raising the bill, but there is nothing on record to suggest that they filed any objection thereof before the respondent-Corporation highlighting the non-service of notice of hearing and/or non-granting the opportunity of hearing for revising the annual valuation of their property.

Learned advocate representing the Corporation suggests that the petitioners may prefer an appeal before the Municipal Assessment Tribunal challenging the reassessment of the annual valuation of their property.

Upon hearing the parties and upon perusing the materials on record, it appears that the petitioners did not file any objection before the Corporation highlighting their grievance relating to revision of the annual valuation of their property. The valuation has been finalised by now and bills thereof have been issued to the petitioners.

No relief can be given to the petitioners at this delayed stage. It will be open for them to approach the Municipal Assessment Tribunal to challenge the evaluation assessed by the Corporation, if permissible in law.

WPA No.6782 of 2023 is disposed of.

Certified copy of this order, if applied for, shall be made available to the parties.

[Amrita Sinha, J]

