

25.06.2024
Sl. No.22
Suman
Ct.No.15

WPA 7836 of 2024

ARD Construction and Ors.
Vs.
The Kolkata Municipal Corporation and Ors.

Mr. Sardar Amjad Ali, Sr. Adv.
Mr. Samir Kumar Ghosh
Mr. Samirul Sardar
..for the petitioners

Mr. Gurudas Mitra
Ms. Piyali Sengupta
..for KMC

It is the case of the petitioners that they have entered into a development agreement with respondent nos. 4 to 11 in respect of premises no. 41E, Tapsia Road (South) Kolkata-700046. In order to facilitate the development project, they have deposited a sum of Rs.500000/- (Rupees Five Lakhs only) with the Corporation towards the arrear tax of the premises on an ad hoc basis and the Corporation has kept the amount in a suspense account.

It has been submitted by the petitioners that one of its partners made an application under Right to Information Act, 2005, before the State Public Information Officer of Kolkata Municipal Corporation

seeking certain information in respect of the premises in question.

In response, by a letter dated January 10, 2024, the Corporation replied that there is no existence of premises no. “41E, Topsia Road (South)” and, therefore, the Corporation was unable to furnish the requisite information.

The petitioner submits that because of such reply from the Corporation, it could not proceed further with the development project.

The Corporation clarifies the position. It has been submitted by the Corporation that in the application under Right to Information Act, 2005, the premises has been wrongly described as “41E, Topsia Road (South)” instead and in place of “41E, Tapsia Road (South)”. Because of the spelling mistake, the queries raised by the petitioners were not answered.

The Corporation further submits that if the petitioner furnishes a fresh application under Right to Information Act, 2005, describing the premises correctly, the required information would be furnished.

In that view of the matter, I dispose of this writ petition granting liberty upon the petitioner to make a fresh application under Right to Information Act, 2005, with a proper address of the relevant premises. If such application is filed by the petitioner, the Corporation shall supply the necessary information in accordance

with law within a period of one month from the date of communication of this order.

Accordingly, **WPA 7836 of 2024** is disposed of.

Urgent photostat certified copy of this order, if applied for, be supplied to the learned advocates for the parties on usual undertakings.

(Kausik Chanda, J.)