

WPA 17308 of 2024

**Kalpana Dutta @ Swapna Chanda
Vs.
The State of West Bengal & Ors.**

Mr. Sahid Uddin Ahmed

....for the petitioner

Mr. Achintya Kr. Banerjee

Mr. Dipankar Ghosh

....for the KMC

Mr. Dipankar Mondal

...for the respondent No. 4

1. The affidavit-of-service as filed in Court today is taken on record.
2. By filing the instant writ petition, the petitioner has prayed for issuance of writ of mandamus against the respondent No. 2 and 3 to mutate her name in respect of premises No. 35, Rabindra Pally, Assessee No. 31-101-06-0191-9.
3. Drawing attention to page 6 of the supplementary affidavit as filed today and as has been taken on record, it is submitted that pursuant to the representation herein took place on 10.07.2024 before the Deputy Assessor Collector wherein the Deputy Collector passed an order in the following manner:

“.....Since the matter is lying pending before the Hon’ble High Court, hence this office will maintain status-quo and keep KMC mutation unchanged till any court order is received by the department.....”
4. Learned advocate for the private respondent submits before this Court that there is no illegality in the mutation and the KMC authority has rightly recorded the name of the private respondent in the assessment

register to the KMC in respect of the aforementioned premises.

5. Learned advocate for the KMC submits that an appropriate order may be passed in view of the order dated 10.07.2024 as passed by the Deputy Assessor Collector, Assessment Collection Department.
6. On consideration of the entire materials as placed before this Court, it appears that justice will be subserved if the respondent No. 3 is directed to consider the representation of the present writ petitioner as filed on 02.05.2024.
7. In view of such, this Court while disposing of the instant writ petition directs the respondent No. 3 and/or its delegates to consider the letter dated 02.05.2024 and after hearing both the writ petitioner and the private respondent shall pass a reasoned order in continuation of the order dated 10.07.2024 and shall communicate the same both to the petitioner and the private respondent either by speed post or through mail , if the email details of the writ petitioner and the private respondent are supplied by the time of hearing.
8. Liberty to communicate.
9. The respondent No. 3 is directed to act on the server copy of this order.
10. With the aforementioned observation, **WPA 17308 of 2024** is **disposed of**.

11. Urgent photostat certified copy of this order, if applied for, be supplied to the parties expeditiously after completion of all necessary formalities.

(Partha Sarathi Sen, J.)