16.07.2024
Sl.No.115
Ct. No.15
S.A.

WPA 17563 of 2024

Tara Rani Patra & Anr.
-vs-
State of West Bengal & Ors.

Mr. Dipayan Kundu
Mr. Pritam Majumder
Mr. Soumya Sankar Chini
…for the petitioners
Mr. Alak Kumar Ghosh
Ms. Tanushree Das Gupta
…for Kolkata Municipal Corporation
Mr. Joydip Banerjee
Ms. Sangeeta Roy
…for the State

It is the grievance of the petitioners that though they have paid all municipal taxes in respect of premises nos.125/1/3B, 125/1/1A, 125/1/1B and 125/1/2, Kailash Ghosh Road, Borough-XVI under Ward no.123 of Kolkata Municipal Corporation, the Corporation has affixed a notice board in the said premises indicating attachment of the property.

The petitioners submit that by a letter dated July 5, 2024, they have submitted the documents showing their ownership in respect of the plots. They prayed for removal of the notice board, but the Corporation has not yet removed the said notice board.

It appears from Annexure P-7 of the writ petition that petitioner no.2 was issued a letter by the Assessor Collector within Borough-XVI requesting him to submit the relevant documents that were produced for mutation of the assessment records relating to the property. It does not appear that the petitioners have responded to that letter.

In the aforesaid facts, I dispose of this writ petition with a direction upon the petitioners to submit the necessary documents as indicated in the letter dated July 6, 2024 before the Assessor Collector within Borough-XVI within a period of three weeks from date.

The Assessor Collector, upon consideration of the relevant records, shall pass a reasoned order within a period of one month thereafter in accordance with law.

Since the notice board suggesting attachment of the property has been installed prematurely without hearing the petitioner and without any adjudication, the Corporation shall remove the same within a period of seven days from date.

Needless to mention that the Corporation has the liberty to take the follow up action after a reasoned order is passed by the Assessor Collector in terms of this order.

With the aforesaid order, **WPA 17563 of 2024** is disposed of.

(Kausik Chanda, *J.*)