

Item No.227

19.02.2024
Ct-24

In the High Court At Calcutta
Constitutional Writ Jurisdiction
Appellate Side

WPA 20863 of 2022
Shri Asit Kumar Ghosh & Anr.
v.
The State of West Bengal & Ors.

Mr. Soumya Majumder
Mr. Sourav Sen
Ms. Sumita Das
... for the petitioners.

Ms. Sonal Sinha
Mr. Avishek Prasad
Ms. Srabasti Barai
... for the respondent nos. 2 to 5.

Mr. Jahar Saha
Mr. Jaladhi Das
... for the State.

The application filed by the petitioners seeking mutation is yet to be considered and disposed of by the English Bazar Municipality.

It has been submitted by the petitioners that the Municipality is demanding exorbitant amount on account of mutation along with the development fee. No formal demand has, however, been raised by the Municipality till date.

The petitioner relies upon an order dated February 21, 2020 passed by this Bench in WPA 289 of 2020 (Smt. Tinni Sarkar (Roy) & Another v. Siliguri Municipal Corporation & Ors.).

The petitioners submitted a representation before the Municipality and the same is alleged to be kept pending.

Without entering into the allegation made by the petitioners, as it appears that the application for mutation is pending consideration for a considerable period of time, accordingly, the instant writ petition is disposed of by directing the Municipality to take a decision on the application for mutation filed by the petitioners in accordance with law at the earliest but positively within a period of eight weeks from the date of communication of this order. A reasoned order shall be passed and communicated to the petitioners immediately thereafter.

If the Municipality is of the opinion that the application for mutation may be allowed, then necessary consequential steps shall be taken in the matter at the earliest.

The writ petition stands disposed of.

Urgent certified photocopy of this order, if applied for, be supplied to the parties expeditiously on compliance of usual legal formalities.

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(Amrita Sinha, J.)