

Item No.233

19.02.2024
Ct-24

In the High Court At Calcutta
Constitutional Writ Jurisdiction
Appellate Side

WPA 25565 of 2022
Shri Tapan Kumar Acharjee
v.
The State of West Bengal & Ors.

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

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

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

It has been submitted by the petitioner 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 petitioner submitted a representation before the Municipality and the same is alleged to be kept pending.

Without entering into the allegation made by the petitioner, 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 petitioner 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 petitioner 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.

Affidavit-of-service filed in Court today is taken on record.

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.)