

**In The High Court At Calcutta
Constitutional Writ Jurisdiction
Appellate Side**

W.P.A 26111 of 2023

**Md. Muslim
-versus
The Kolkata Municipal Corporation & Ors.**

**Mr. Rishabh Ahmad Khan.
...For the Petitioner.**

**Mr. Srijan Nayak.
Ms. Rituparna Maitra.
... For the K.M.C.**

The petitioner submits that the Corporation relied upon a deed produced by the private respondents and mutated the name of the private respondents in the official records of the Corporation.

According to the petitioner, the deed in question is a fraudulent one. The petitioner has already approached the competent Court for declaration that the deed is fraudulent.

Mutation is solely for the purpose of ascertaining the person primarily liable to pay tax. Mutation does not create or extinguish title of any of the parties.

The petitioner has already approached the competent forum for declaration that the deed in question relied upon by the private respondents is a fraudulent one. It will be open for the petitioner to approach the Corporation after the said proceeding is disposed of by the competent Court.

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.

(Amrita Sinha, J.)