

02.12.2024
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AN/Ct. No.07

WPA 26134 of 2023

**Anandam Banerjee
versus
Kolkata Municipal Corporation & ors.**

Mr. Alok Kumar Ghosh
Mr. Sandip Kumar De
Mr. Abhijit Sarkar
... for the petitioner

Mr. Dwijadas Chakraborty
Ms. Paushali Banerjee
... for the K.M.C.

Mr. Subhajit Chowdhury
... for the private respondent
nos. 11, 12, 16 & 17

The petitioner alleges that though the premises no. 59A, Hazra Road within the Ward No. 86 of the Kolkata Municipal Corporation was recorded in the name of the predecessors-in-interest of the petitioners, but subsequently without giving any notice to the petitioners, the same has been recorded as “Bustee”.

Mr. Ghosh, learned counsel appearing for the petitioner submits that several assessee numbers have been created by the Municipal Authority without giving any opportunity of hearing to the erstwhile recorded owners. Mr. Ghosh further submits that the persons in whose name the huts have been recorded have also been issued licenses for the purpose of carrying on business.

The petitioner has submitted two representations both dated 26.09.2023 to several authorities including the Municipal Commissioner. Mr. Ghosh submits that no decision on such representations have yet been communicated to the petitioner.

Without entering into the merits of the claim made by the petitioner in the said representations, this writ petition is **disposed of** by directing the Municipal Commissioner being the 2nd respondent herein to consider the representations of the petitioner which are appearing as annexures P-7 and P-8 at pages 29 and 31 of the writ petition and to dispose of the same by passing a reasoned order after giving an opportunity of hearing to the petitioner and or any other interested person who are likely to be effected by such decision and/or their authorized representative and shall communicate the reasoned order to the parties immediately thereafter. The entire exercise shall be completed within a period of four weeks from the date of receipt of the server copy of this order alongwith the copy of the aforesaid representations dated 26.09.2023.

There will be no order as to costs.

Urgent certified photostat copy of this order, if applied for, shall be given to the parties as expeditiously as possible on compliance of all necessary formalities.

(Hiranmay Bhattacharyya, J.)