

D/L. 15.
January 3, 2024.
MNS.

WPA No. 26596 of 2023

Rabindra Nath Kundu
Vs.
Union of India and others

Mr. Subhendu Banerjee

... for the petitioner.

Mr. Swatarup Banerjee,
Sk. Sariful Haque

...for the Union of India.

1. Affidavit-of-service filed in Court today be kept on record.
2. The grievance of the petitioner is limited. The petitioner, being the lessor, let out a property to the Joynagar Majilpur Post Office. Subsequently, the petitioner ran from pillar to post for seeking enhancement of rent of his property. Although the respondent authorities made internal communications between its various departments in that regard, no effective steps have been taken for payment of the enhanced rent or for fixation of the enhanced rent as per the request of the petitioner.

3. Learned counsel for the respondent authorities submits that the petitioner is always at liberty to approach the respondent no. 3, that is, the Superintendent of Post Office, South Presidency Division, for fixation of a revised rent for the property-in-question.
4. Although the prayers made in the writ petition traverse into the domain of civil dispute and this Court does not have the authority, sitting in its writ jurisdiction, to issue a Rule of Mandamus to vindicate the civil rights of the petitioner, since the respondents are public authorities and have already corresponded inter department for enhancement of the rent payable to the petitioner, it would only be prudent if the respondent no. 3 looks into the matter and upon giving an opportunity of hearing to the petitioner and fixes a fair rent with regard to the property-in-question.
5. Accordingly, WPA No. 26596 of 2023 is disposed of by directing the respondent no. 3 to give an opportunity of hearing to the petitioner within three weeks from date and upon hearing the petitioner and considering the relevant aspects of the matter, fix a fair rent with regard to the property, which has

been let out by the petitioner to the respondent no. 6, at the earliest, preferably within a further period of three weeks thereafter.

6. There will be no order as to costs.
7. Urgent photostat certified copies of this order, if applied for, be made available to the parties upon compliance with the requisite formalities.

(Sabyasachi Bhattacharyya, J.)