

25.01.2024
Court No. 13
Item Nos. 51
pk

WPA 27340 of 2023

**Frontier Warehousing Limited and another
Vs.
State of West Bengal and Ors.**

Mr. S. N. Mookherjee,
Mr. Aniruddha Chatterjee,
Mr. Chayan Gupta,
Mr. Subhankar Chatterjee,
Mr. D. Chadda

.... For the Petitioners.

Mr. Koushik Roy

.... For the Khardah Municipality.

1. Affidavit of service filed in Court is taken on record.

2. The petitioner is aggrieved by a notice dated 07.11.2023 issued by the Chairman of the Kharda Municipality, North 24 Parganas asking its authorised signatory to deposit a sum of Rs.2,18,97,316/- towards effecting mutation in respect of two properties purchased by the writ petitioners. The properties have been purchased for the purpose of setting of warehouse. The petitioners are engaged in the logistics business.

3. This Court shocked and surprised as regards the amount quoted by the Chairman of the Khardah Municipality to effect mutation. The amount ex facie appears to be exorbitant if not an attempt to extort money from the petitioner.

4. In the backdrop of the above, the order dated 07.11.2023 shall stand quashed and set aside.

5. The Chairman of the Khardah Municipality shall communicate the actual mutation fees payable for effecting mutation of the two properties purchased by the petitioners by registered deeds of conveyance dated 21st September, 2023 by 30.01.2024. Upon being deposited, the Chairman of the Khardah Municipality shall personally ensure the mutation in the name of the petitioners within seven days thereof. Any plan submitted for construction shall be processed as expeditiously as possible preferably within 15 days of submission of such plan.

6. The petitioners shall comply with all necessary formalities and pay only the applicable prescribed fees therefor.

7. Since, this Court has noted exorbitant amount of Rs. 2,18,97,316 for mutation, the District Magistrate, North 24 Parganas shall forthwith cause an enquiry and take all necessary steps under the Bengal Municipal Act against the Chairman of the Khardah Municipality.

8. Let a copy of this order be sent to the District Magistrate, North 24 Parganas as also the Vigilance Department of the State of West Bengal for appropriate action.

9. In the event, the Chairman of the Khardah Municipality is able to produce any document or rules to support the notice dated 07.11.2023, the petitioners shall be at liberty to challenge the same in accordance with law.

10. With the aforesaid observations, the writ petition is disposed of.

11. There will be no order as to costs.

12. All parties are directed to act on a server copy of this order duly downloaded from the official website of this Court.

(Rajasekhar Mantha, J.)