

18.03.2025
Item No.20
BR

WPA 3347 of 2020

Noor Alam & Ors.

-vs-

**Kolkata Municipal Corporation and
others**

Mr. Mohinoor Rahaman,
Ms. Iqra Rahaman
.... For the petitioner

Mr.Aloke Ghosh,
Ms. Piali Sengupta,
Ms. Debangana Dey Nayak
... for the K.M.C.

A report in the form of affidavit has been submitted by the Kolkata Municipal Corporation being led by learned senior counsel Mr. Aloke Ghosh.

Paragraph 7 of the said report is as follows :

“ S.M. Samiullah S.B. & Co. of 19, British Indian Street, Calcutta-700 069 has been recorded as the hut owner in the Inspection Books and system date base for assessment period (General Revaluation) with effect from 3rd Quarter, 1994-95; 3rd Quarter, 2000-01 and 3rd Quarter, 2006-07.

Copies of the Inspection Books in respect of the aforesaid periods are annexed hereto and collectively marked with the letter "D".

It is the case of the petitioner that in spite of making a representation before the Kolkata Municipal Corporation on 2.1.2020 along with the decree in Title Suit No. 196 of 1997, in a suit initiated by the said M/s. S.B.Samiullah S.B.company before the Court of learned 2nd Munsiff at Alipore praying for declaration of right, title and interest in the property, wherein **the suit was dismissed**, the said prayer of the petitioner is not being considered till date.

The writ application is accordingly disposed of with the direction that the petitioner shall make an application in the prescribed format (if any) and the said application along with the representation dated 2.1.2020 shall be considered by the appropriate authority in accordance with law on the basis of the supporting documents filed by the petitioner including the decree of the Civil Court and the matter shall be considered and disposed of by passing a reasoned order within a period of 60 days from the date of filing the application copy of representation and on giving a proper opportunity of hearing to the petitioner.

Learned counsel for the petitioner submits that he may be granted 30 days to make the said application (if any). Accordingly the matter be considered within 60 days from the date of making the said application in the prescribed format (if any) and/or on filing a copy of the representation.

A copy of the report be handed over to the learned counsel for the petitioner.

WPA 3347 of 2020 stands disposed of.

Parties to act on the server copy of this order.

Urgent photostat certified copy of this order, if applied for, be given to the learned counsel for the parties on usual undertakings.

(Shampa Dutt (Paul), J.)