

Sl. No.41
10.03.2025
Suman
Ct. 15

WPA 6838 of 2024

Anindita Chowdhury and Anr.
Vs.
The Kolkata Municipal Corporation and Ors.

Mr. Dipankar Dhar
Mr. P. K. Chakraborty
..for the petitioners

Mr. Biswajit Mukherjee
Ms. Piyali Sengupta
Ms. Manisha Nath
..for KMC

An assessment annual valuation of premises no. 28B, Gariahat Road, P.S. Rabindra Sarabar, Kolkata-700029 (Assessee No. 110901401202) was conducted on March 19, 2009. The matter was subsequently referred to the Lok Adalat at the Kolkata Municipal Corporation on February 25, 2012. The Lok Adalat directed the petitioners to submit the relevant records before the Corporation and to undertake a fresh reassessment.

It appears that, to date, the Corporation has not carried out this exercise.

Mr. Dhar, learned advocate appearing for the petitioners, submits that the reassessment should be conducted in accordance with the principles laid down by the Supreme Court in ***Calcutta Municipal Corporation***

v. Motilal Naresh Kumar (SC; Suppl.) 2007(2) CHN 143.

On the other hand, Mr. Biswajit Mukherjee, the learned advocate representing the Kolkata Municipal Corporation, submits that the Corporation is prepared to complete the assessment after hearing the petitioners and allowing them to present all necessary documents. However, Mr. Mukherjee contends that it is for the authority to determine whether the judgment, as mentioned above, is applicable in the specific facts of this case.

In light of the above, this writ petition is disposed of with a direction to the Chief Manager, Revenue (South) to complete the reassessment of the premises in question in accordance with law within two months from the date of communication of this order, after affording an opportunity for a hearing to the petitioners. The Chief Manager, Revenue (South), shall decide the case in accordance with the law. The petitioners shall be permitted to produce any relevant documents in support of their case.

Accordingly, **WPA 6838 of 2024** is disposed of.

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

(Kausik Chanda, J.)