

11.03.2025
Item No. 38
AN/Ct. No. 15

WPA 16916 of 2024

Mankeshwar Rai
vs.
Kolkata Municipal Corporation & ors.

Ms. Soma Kar Ghosh
Mr. Arabinda Pathak

... for the petitioner

Mr. Gopal Chandra Das
Ms. Ina Bhattacharya

... for the KMC

The petitioner asserts that the Certificate of Enlistment No.4071 1000 0076, with respect to M/s. Rai Hotel, Eating House, located at 16, Debendra Lal Khan Road, Kolkata-700 025, issued in his favour by the Kolkata Municipal Corporation on 01.04.2003, was unilaterally revoked. The petitioner seeks the restoration of this enlistment certificate.

However, the report submitted by the Corporation indicates that the revocation of the said certificate of enlistment was based on an application and the documents submitted by the petitioner himself through an online submission. Furthermore, the Corporation's report suggests that the petitioner has obtained a new Certificate of Enlistment No. 0019 9401 7010, issued on 16.04.2024, in respect of the same establishment which is valid till date.

The petitioner contends that he did not upload any documents for the cancellation of the previous certificate of enlistment and that he has encountered operational difficulties in running his business due to the cancellation of the earlier certificate. Nevertheless, the petitioner expresses his willingness to surrender the second certificate of enlistment, as noted above, and to continue his business under the original certificate of enlistment issued on April 1, 2023.

The Corporation has permitted the petitioner to operate his business under the subsequent certificate of enlistment dated 16.04.2024. It seems that the Corporation has no objection to the petitioner continuing to operate M/s. Rai Hotel, Eating House, at 16, Debendra Lal Khan Road, Kolkata-700 025. The difficulty faced by the petitioner can be resolved by allowing him to surrender the certificate of enlistment issued on 16.04.2024 and restoring the earlier certificate of enlistment issued on 01.04.2003.

Accordingly, this writ petition is disposed of, granting the petitioner the liberty to surrender the certificate of enlistment issued to him on 16.04.2024 within two weeks of the communication of this order. Upon such surrender, the Corporation shall restore Certificate of Enlistment No. 4071 1000 0076, issued on 01.04.2003, within seven days thereafter. It is clarified that the

petitioner shall comply with any necessary formalities in this regard.

Accordingly, **WPA 16916 of 2024** is disposed of.

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.

(Kausik Chanda, J.)