

18.08.2025.
Item No. 44.
Court No. 13
ap

**M.A.T. No. 1529 of 2024
With
I.A. No. CAN 1 of 2024**

**Rajay Banerjee & Anr.
Versus
The Kolkata Municipal Corporation & Ors.**

Mr. Bidyut Kumar Halder,
Mr. Indranil Halder.

...For the appellants.

Mr. Biswajit Mukherjee,
Mr. Atis Kumar Biswas.

...For the KMC.

Mr. Aritra Basu,
Mr. S. Banerjee,
Mr. Hamidul Haque,
Mr. Bhupendra Gupta.

...For the respondent no.4.

1. The instant intra court appeal is directed against the judgment and order dated 25th June, 2024 passed by a learned Single Judge of this Court in W.P.A. 28570 of 2023.
2. By the impugned order, the Court did not wish to interfere with an order of mutation dated 22nd December, 2021 passed by the Deputy Assessor-Collector (South), A.C. (South), Department, Kolkata Municipal Corporation and permitted the appellants to file a statutory appeal before the Building Tribunal or other Authority as may be prescribed.
3. Mr. Halder, learned Counsel appearing on behalf of the appellants submits that he may be permitted to pursue such alternative remedy before the Building

Tribunal as directed by the learned Single Judge of this Court.

4. Reserving liberty to the appellant to challenge the order passed by the Deputy Assessor-Collector (South), A.C. (South), Department, Kolkata Municipal Corporation dated 22nd December, 2021, subject to the same being maintainable on the question of limitation, M.A.T. 1529 of 2024 is disposed of.

5. In view of disposal of the appeal itself, the connected application being CAN 1 of 2024 shall also stand disposed of.

6. There will be no order as to costs.

7. 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.)

(Ajay Kumar Gupta, J.)