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ORDER SHEET
IN THE HIGH COURT AT CALCUTTA
CIVIL APPELLATE JURISDICTION
ORIGINAL SIDE

APOT 21 of 2025 with
WPO 765 OF 2024
IA GA 1 OF 2025
THE KOLKATA MUNICIPAL CORPORATION AND ORS.
Versus
AVIJIT DE BHOWMICK & ORS.

BEFORE:
The Hon'ble JUSTICE DEBANGSU BASAK
AND
The Hon'ble JUSTICE MD. SHABBAR RASHIDI
Date : 25th February, 2025.

Appearance :
Ms. Piyali Sengupta, Adv.
Ms. Manisha Nath, Adv.
.....For K.M.C.
Mr. Anindya Bose, Adv.
...for the respondent

The Court: Appeal is directed against the order dated January 15, 2025 passed in two writ petitions being WPO 765 of 2024 and WPO 611 of 2024.

By the impugned order, learned Single Judge directed that a certified copy of the inspection book for the relevant premises be made available to the writ petitioner subject to production of current tax receipt for Assessee No. 110531801118 and compliance with other formalities within two weeks from the date of such production.

Learned advocate appearing for the appellant submits that the parties are governed by the Citizen's Charter 2021 of the Assessment-Collection,

Kolkata Municipal Corporation (KMC). She draws the attention of the Court to serial no. 1 of the Citizen's Charter 2021 and serial no. 11. She submits that writ petitioner seeks issuance of certified copy of the inspection book and mutation certificate in respect of premises no. 53/2A, S.N. Banerjee Road, Kolkata-700014 in its entirety. She submits that, serial no. 11 makes general requirement of serial nos. 1 and 3 applicable. She contends that, the writ petitioner is entitled to certified copy of the inspection book as also the mutation certificate upon the writ petitioner producing no outstanding certificate from the Assessment-Collection Department on completion of all periodic and inter assessment as applicable for already assessed properties.

Learned advocate appearing for the appellant submits that, general requirement no. 3 includes the entirety of the premises for which the certified copy of the inspection book is sought for by a person. In the facts and circumstances of the present case, she submits that, there are eight different assessees in respect of premises no. 53/2A, S.N. Banerjee Road, Kolkata-700014. The writ petitioner is required to submit no outstanding certificate in respect of eight assessees for certified copy of the inspection book of the entire premises. The writ petitioner seeks certified copy of the inspection book in respect of the entirety of the premises.

Learned advocate for the writ petitioner submits that writ petitioner is the owner of the premises and is entitled to the certified copy of the inspection book for the entire premises. He submits that the writ petitioner produced no

outstanding certificate in respect of the assessment number through which the writ petitioner is being assessed by the KMC Authorities. He submits that the writ petitioner cannot be fastened with the liabilities of the other assesseees in respect of the same premises.

Writ petitioner approached Kolkata Municipal Corporation Authorities for issuance of certified copy of inspection book and for mutation certificate.

Mutation certificate is issued by KMC Authorities on payment of prescribed fee. There is no dispute with regard to the issuance of mutation certificate to the writ petitioner on payment of requisite fees. Writ petitioner is also ready and willing to pay such requisite fees to the Authorities.

So far as the issuance of certified copy of the inspection book is concerned, the issue is whether the writ petitioner is obliged to produce the documents as laid down in the Citizen's Charter 2021 in respect of the entirety of the immovable property or only the assessment number which is allotted to such writ petitioner for obtaining the certified copy of the inspection book of the entire premises or not.

There is a Citizen's Charter 2021 governing the process through which the application for issuance of certified copy of the inspection book is made available to an applicant for the same, by the KMC Authorities.

Relevant to the present case are general requirement nos. 1 and 3 which is as follows :

“General requirement :

1. Mobile No., E-Mail ID (if any) in specific column of A-42 Form/A 75 Form or in the application.
2.
3. 'No Outstanding Certificate' (NOC) from Assessment-Collection Department(on completion of all pending Periodic/Inter assessments, as applicable) for already assessed properties."

and serial no. 11 at page 56 is as follows :

11	Issuance of various certified copies like inspection book, assessment register etc. (*depending on the document sought)	Ref:Sche dule of Rules & Charges	10 workin g days	Plain paper applicato n	1. General requireme nts No.1 & 3(as applicable) 2. Copy of Payment for all current demands 3. Applicatio n must contain Phone Number& E-mail ID (if any) which will be uploaded in KMC Portal	-DO-		-DO-	-DO_
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The provisions of the Citizen's Charter noted above require an assessee applying the certified copy of inspection book to comply with general requirement nos. 1 and 3, that is to say, that such assessee is required to provide the details as prescribed in serial No.1 of the general requirement as also furnish no outstanding certificate in terms of serial no. 3 of general requirement.

The certified copy of the inspection book obviously will be limited to the assessment number allotted to the individual person who seeks the certified copy of such inspection book. In the event such assessee requires certified copy

of the inspection book in respect of other assesseees, such applicant is required to comply with general requirement nos. 1 and 3, that is to say, that such applicant is required to produce no outstanding certificate, amongst others, in respect of the other assesseees also.

Issue raised in the appeal is answered accordingly.

In such circumstances, the impugned order is modified to the extent as noted above. The writ petitioner is at liberty to apply for obtaining certified copy of the inspection book after complying with the requirement specified in general requirement nos. 1 and 3 of the Citizen's Charter 2021.

APOT 21 of 2025 and the connected application are disposed of without any order as to costs.

(DEBANGSU BASAK, J.)

(MD. SHABBAR RASHIDI, J.)

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