

IN THE HIGH COURT AT CALCUTTA
Constitutional Writ Jurisdiction
ORIGINAL SIDE

WPO/144/2025

SALAUDDIN LODHI AND ANR
-vs-
KOLKATA MUNICIPAL CORPORATION AND ORS

BEFORE:
The Hon'ble JUSTICE KAUSIK CHANDA
Date : 12th March, 2025

Appearance:
Mr. Arindam Banerjee, Sr. Adv.
Mr. Rajdeep Bhattacharya, Adv.
...for the petitioner.

Mr. Biswajit Mukherjee, Adv.
Mr. Swapan Kr. Debnath, Adv.
...for KMC.

The Court:-The petitioners challenge an assessment under the Unit Area Assessment System concerning premises no. 23, Tarachand Dutta Street, Kolkata-700073.

It appears that the Corporation, by a letter dated November 2, 2022, requested the petitioners to submit a self-assessment form and the relevant building plan.

However, the petitioners, by a reply dated July 7, 2023, requested an extension on the grounds that their mother, who had been diagnosed with cancer, was seriously ill at that time.

Subsequently, it appears that the Corporation proceeded with the assessment without providing the petitioners an opportunity to be heard.

The petitioners submit that their mother passed away on September 5, 2023.

The petitioners have demonstrated valid reasons for not being able to appear before the Corporation authorities.

In light of the circumstances of the case, I am of the view that the interests of justice will be served if the impugned assessment order is held in abeyance for a period of one month from the date of this order.

The petitioners shall be granted a post-decisional hearing by the relevant assessing officer within one month from the date of this order.

Depending on the outcome of the hearing, the Corporation will be at liberty to either confirm or modify the assessment.

Accordingly, WPO No. 144 of 2025 is disposed.

(KAUSIK CHANDA, J.)