

ORDER SHEET

IN THE HIGH COURT AT CALCUTTA
Constitutional Writ Jurisdiction
ORIGINAL SIDE

WPO/1110/2024

MAHESH KUMAR RATHI
VS
THE KOLKATA MUNICIPAL CORPORATION AND ORS.

BEFORE:

The Hon'ble JUSTICE GAURANG KANTH

Date : 3rd April, 2025.

Appearance

Mr. Surya Prasad Chattopadhyay, Adv.
Mr. Satyaranjan Kundu, Adv.
Mr. Sudhin Kumar Das, Adv.
...for the petitioner.

Mr. Gurudas Mitra, Adv.
Ms. Manisha Nath, Adv.
...for the KMC.

The Court: Affidavit-of-service filed is taken on record.

The petitioner has preferred the present writ petition seeking two fold reliefs:

- a) In the nature of mutation of its premises.
- b) Deletion of the term "Khatal" from the book of assessment maintained by the Corporation.

As far as prayer (b) is concerned, learned Counsel for the respondent Corporation appears and has handed over a report which is taken on record and a copy of the same is also handed over to learned Counsel for the petitioner. From the record it is evident that the term "Khatal" has been delisted from the record of the Kolkata Municipal Corporation on the basis of the memo issued by the Controller, Kolkata Thika Tenancy vide memo no.

1421/C/KTT/2018 dated 28-06-2018 read with memo no.990/XX/KTT/2024 dated 27-06-2024.

In view of the said submission and the record, prayer (b) of the petition stands satisfied.

As far as prayer (a) is concerned, it is submitted by the respondent/Corporation that the petitioner is required to submit an application in the prescribed statutory A-42 form for mutation- cum- separation of the subject property. It is further stated that after the submission of the application in proper format and after compliance of all the necessary requirements as per law, the corporation shall duly process the said application in accordance with law.

Learned Counsel for the petitioner states that his client shall be satisfied if his application is decided within a time bound manner.

In view of the said statement, this Court grants the petitioner two weeks time to file his application in statutory A-42 form along with all the necessary documents for mutation- cum- separation of his subject property.

After the submission of the appropriate application, the respondent/Corporation shall decide the same within a period of eight weeks from the date of submission of the application after affording an opportunity of personal hearing to the petitioner as well as any other necessary parties if the need arises by way of a speaking order.

With the above direction, the present writ petition is disposed of.

(GAURANG KANTH, J.)

spal/mg