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Ct.3.

IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION
APPELLATE SIDE

WPA 10149 of 2026

Pratima Saha & Ors.
Versus
The State of West Bengal & Ors.

Mr. Kushal Chatterjee
Mr. Sudarsan Halder
... For the petitioners.

Mr. Shovan Banerjee
Mr. Subhabrata Basu
Mr. Pradip Kumar Mondal
.... For the respondent no.7

1. Affidavit of service filed in Court is taken on record.
2. The present writ petition has been filed, inter alia, challenging the alteration of municipal records in respect of Premises No.57, Nainen Para Lane, P.O. & P.S. Baranagar, Ward No. 24, District – North 24 Parganas, PIN 700036 (hereinafter referred to as the said property).
3. According to the petitioners, Smt. Maya Debi who was the original owner in respect of the said premises died on 28th August, 2012 at the age of 82 years. The petitioner no.1 is the daughter-in-law of Smt. Maya Devi and has approached this Court along the petitioner nos. 2 and 3 who are the grandson and son of Smt. Maya Debi. According to the petitioners, the husband of the petitioner no.1, Tapas Saha has since died.
4. Learned advocate for the petitioners would submit that though the aforesaid property was recorded in the

name of the said Maya Debi and the petitioners had deposited the municipal tax in the name of said Maya Debi till 2024-25, however, recently the petitioners were surprised to learn that the name of the respondent no.7 has been recorded in respect of the aforesaid premises as an assessee. This prompted the petitioners to make a representation before the municipal authorities on 13th April, 2026. Following non-consideration of such representation, the petitioners have approached this Court.

5. The respondent no.7 is represented. The learned advocate representing the respondent no.7 has placed before this Court a copy of “saf bikroy kobala” dated 1st August, 2012 and would submit that the aforesaid Maya Debi, wife of Late Radheshyam Saha, housewife, resident of Nainen, Musalmanpara Lane, P. S. Baranagar, Kolkata – 700036, has transferred the said property unto and in favour of the respondent no.7.

6. Having heard the learned advocates appearing for the respective parties and though the municipality is not represented and though the learned advocate for the petitioners would claim that the petitioners are in possession of the property, however, from the materials on record I find that the petitioners have already filed a suit being Title Suit No. 272 of 2014 (Pratima Saha & Ors. vs. Subrata Bose) before the Court of the learned Civil Judge (3rd Court) at Sealdah, for cancellation of the title

deed executed in favour of the respondent no.7 and also for permanent injunction.

7. Insofar as the contention of the learned advocate for the petitioners as regards the aforesaid change of the name of assessee being made without service of notice on the petitioners, ordinarily, such procedure appears to be violation of principle of natural justice, however, having regard to the admitted position that the deed executed by Maya Debi is under challenge in a civil Court, and noting that no interim relief has been granted in favour of the petitioners, I am of the view at this stage there is no scope for this Court to interfere with the steps taken by the municipality.

7. The writ petition stands accordingly dismissed by reserving liberty in favour of the petitioners to seek appropriate relief, in the event the petitioners succeed in the aforesaid suit.

(Raja Basu Chowdhury, J.)