

OD-06

WPO/170/2026
IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION
ORIGINAL SIDE

Meer Md. Anis
Versus
The Kolkata Municipal Corporation & Ors.

Before:
The Hon'ble Justice RAJA BASU CHOWDHURY
Date: 27th April 2026

Appearance:
Mr. Indrajit Bhattacharjee, Advocate
for the petitioner

Mr. Alak Kr. Ghosh, Advocate
Ms. Manisha Nath, Advocate
for the KMC

The Court: 1. The present writ petition has been filed, inter alia, questioning the steps taken by the municipal authorities to proceed with the hearing notice dated 20th June 2025 issued by the respondent no.4.

2. According to the learned advocate for the petitioner, since a competent Civil Court by an order dated 14th March 2023 has directed the parties to maintain the status quo it is beyond the competence of the municipal authorities to call upon the petitioner for a hearing. Records would reveal that the petitioner has filed a written objection in connection with the hearing notice previously issued and has, inter alia, contended that he is only liable to pay tax for his occupied portion measuring 2 chittacks. Records would also reveal that the petitioner has been dodging the hearing officer on the strength of the ad interim order

passed by the Learned Court by contending that the interim order has been extended from time to time.

3. The municipality is represented by Mr. Ghosh. He would submit that the interim order passed by the Civil Court in the above matter does not interfere with the right of the municipality to determine the applicable rates and taxes.

4. Having heard the learned advocate representing the respective parties, I find that the petitioner has been repeatedly called upon by the Assistant Assessor Collector, Borough – XIV. The petitioner has been dodging the said Assessor Collector by showing pendency in the the Civil Court. The petitioner has not disclosed copy of the plaint in the writ petition. Perusal of the order impugned would demonstrate that the parties have been directed to maintain the status quo in respect of the suit property. Such order has been passed so as to afford protection to the petitioner from being dispossessed from the suit property. The same, in my view, cannot interfere with the right of the Assessor Collector to determine the rates and taxes payable by the petitioner or the other occupants of the premises no.I-18, Garden Reach Road, Ward – 135, Kolkata.

The writ petition accordingly stands dismissed.

(RAJA BASU CHOWDHURY, J.)