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ORDER SHEET
IN THE HIGH COURT AT CALCUTTA
Civil Appellate Jurisdiction
ORIGINAL SIDE

APOT/108/2026
IA NO: GA/1/2026
COMMERCIAL PROPERTIES AND MERCHANDISE LTD AND
ANOTHER
VS
THE KOLKATA MUNICIPAL CORPORATION AND OTHERS

BEFORE:
The Hon'ble JUSTICE SHAMPA SARKAR
AND
The Hon'ble JUSTICE SMITA DAS DE
Date: 1st July, 2026.

Appearance:
Mr. Arindam Banerjee, Sr.Adv.
Mr. Sumonta Biswas, Adv.
Mr. Bikash Shaw, Adv.
Ms. Mahashree Ghosh, Adv.
Sk. Saad Nefisul Islam, Adv.
...for the appellants

Mr. Aloke Ghosh, Adv.
...for KMC

The Court: We are not inclined to interfere with the order impugned. The prima facie findings of His Lordship are based on certain factual issues. However, as the records reveal that repeated directions had been passed on the Corporation to recalculate the amount due and payable by the appellants, upon cancellation and setting aside of the multiple calculations made on earlier occasions, the issue with regard to penal/accrued interest, shall be also decided

at the final hearing of the writ petition along with the other claims of the corporation. We are of the view that, the direction for payment of penal interest shall remain stayed for the time being. The principal amount of Rs. 29,26,334/- will be paid to the Corporation, within a week from the date of communication of the order, failing which the Corporation will be at liberty to take coercive measures. All other issues, including the quantum of outstanding principal as also the interest are left open, to be decided by the learned Single Judge. The order impugned is modified.

The appeal and the application are accordingly disposed of.

Affidavit of service filed in Court is kept on record.

(SHAMPA SARKAR, J.)

(SMITA DAS DE, J.)