

Appellant Vs. Respondent

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Court : Kolkata

Decided On : May-15-2012

Judge : Soumitra Pal

Appellant : Appellant

Respondent : Respondent

Judgement :

ORDER

SHEET G.A.No.1275 of 2012 W.P.No.126 of 2005 IN THE HIGH COURT AT CALCUTTA Constitutional Writ Jurisdiction ORIGINAL SIDE CALCUTTA LAND TRUST LTD & ANR Plaintiff/Petitioner/Applicant Versus K.M.C.

& ORS Defendant/Respondent BEFORE: The Hon'ble JUSTICE SOUMITRA PAL
Date :

15. h May, 2012.

For Petitioner : MR.BIKASH RANJAN BHATTACHARYAY,SR.ADVOCATE
MS.SUTAPA SANYAL,ADVOCATE MR.A.N.BHATTACHARYYA,ADVOCATE
MS.M.KHAN,ADVOCATE For KMC :MR.B.MUKHERJEE,ADVOCATE
MR.D.MONDAL,ADVOCATE The Court : It is submitted by Mr.Bhattacharyya,
learned Senior Advocate for the petitioners that as the Waiver Scheme, 2012 is
coming to an end on this date, appropriate order may be passed so that his clients

may be able to avail themselves of the Waiver Scheme, 2012.

In view of the waiver Letter of Intimation appearing at page 183 of the application and as it has been submitted by Mr.Bhattacharyya that the waiver Letter of Intimation does not take into consideration the order passed by the Hearing officer appearing at pages 116 and 117 of the application, in the event the petitioner makes an application before the authorities of the Kolkata Municipal Corporation including the concerned Assessor Collector, the said authority shall consider the same in accordance with law and after verifying the records.

In the event it is found that there is any mistake in the waiver Letter of Intimation due credit shall be given to the petitioners. This order is passed without prejudice to the rights and contentions of the parties and subject to further order that may be passed.

I, however, make it clear that I have not gone into the merits of the matter and all points are left open to be dealt with by the respondents authorities.

Liberty to mention upon notice.

Learned advocates for the parties are permitted to take down the gist of this order for communication and the authorities of the Kolkata Municipal Corporation including the Assessor Collector shall act on the basis of such communication.

All parties concerned are to act on a signed photo copy of this order on the usual undertakings.

(SOUMITRA PAL, J.) ssaha AR(CR)

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