

(2021) 07 CAL CK 0021
In the Calcutta High Court
Case No : Writ Petition No. 170 Of 2021

Ramendra Kumar Shah & Ors.

APPELLANT

Vs

State Of West Bengal & Ors

RESPONDENT

Date of Decision : 08-07-2021

Acts Referred:

Citation : (2021) 07 CAL CK 0021

Hon'ble Judges : Shampa Sarkar, J

Bench : Single Bench

Advocate : Shayak Chakraborty, Zohaib Rauf, R. Alam, Supratim Dhar, Moinak Bakshi, Porashor Baidya, Gopal Das, S. Panda

Final Decision : Disposed Of

Judgement

In this writ petition, the petitioners have challenged the mutation in respect of premises No. 45A, Ram Kamal Street, Kolkata â?" 700 023 in the names of Dilip Samanta and Dipak Samanta as alleged shebait and owners. It is the contention of the petitioners that the property in question is a thika property and the petitioners have been recognised as the thika tenants by the appropriate authority. Reference is made to pages 19 and 25 of the writ petition, which show that Enquiring Officer, Kolkata, Thika Tenancy on behalf of the Controller intimated the respondent No. 5, that is The Chief Manager (Revenue-South), Kolkata Municipal Corporation, that the property in question was a thika property. The names of the thika tenants have also been forwarded to the Chief Manager (Revenue-South) by a letter dated December 31, 2020. The petitioners are aggrieved that their names have not been incorporated by way of correction in the municipal records. It appears that the petitioners have already filed a representation before the

Assessor &" Collector (South), Kolkata Municipal Corporation. The said representation is pending disposal.

Under such circumstances, the petitioners are directed to submit an application along with all information and material particulars with regard to their

claims of thika tenancy, including the letters issued by the Enquiring Officer, Kolkata Thika Tenancy to the respondent No. 5 i.e. The Chief Manager

(Revenue &" South), Kolkata Municipal Corporation within 10 days from date. If such representation is filed, the same shall be considered and

disposed of in accordance with law upon hearing the petitioners and also respondent Nos. 8 and 9.

The Kolkata Municipal Corporation shall also call for the assistance from office of the Controller, Kolkata Thika Tenancy, Land & Land Reforms

Department to the Government of West Bengal for clarification and assistance in the matter. However, the Corporation is not required to decide the

question of title. A reasoned order shall be passed and be communicated to all concerned. The entire exercise should be completed within a period of

eight weeks from the date of receipt of the representation. This Court has not gone into the merits and counter claims of the parties.

The matter stands disposed of.