

Sl. No.124
23.09.2024
Suman
Ct. 15

WPA 24105 of 2024

Nitin Jain and Ors.
Vs.
The Kolkata Municipal Corporation and Ors.

Ms. Kum Kum Mukherjee
..for the petitioners

Mr. Biswajit Mukherjee
Mr. Gopal Chandra Das
Ms. Piyali Sengupta
..for KMC

The Corporation claims that a sum of Rs.1,67,84,895/- is owed as outstanding dues as the property tax in respect of premises no.207 Chittaranjan Avenue.

The petitioners claim that at the time of purchase and subsequently, they paid a sum of Rs.40,36,636/- towards outstanding property tax for the premises. The Municipality, however, assessed annual valuation behind their back, which resulted in the impugned demand.

The petitioners' case is disputed by the Corporation.

At this juncture, this Court is not in a position to determine the factual disputes raised by the parties. Nevertheless, this Court directs the petitioners to pay

Rs.30,00,000/- (Rupees Thirty Lakh) in two instalments without prejudice to their rights and contentions. The first instalment should be paid within three weeks from date. The remaining instalment should be paid within the first week of December, 2024. The impugned notice of demand dated September 17, 2024, shall remain stayed for a period of three weeks unconditionally.

If the payments are made by the petitioners in due time as directed by this order, the Corporation shall not take any coercive steps for a period of three months from date. Any default in making the payments shall result in immediate vacation of this stay order.

List this matter one-month after the upcoming puja vacation under the heading "Hearing".

In the meantime, the Corporation and the petitioners shall file their affidavit-in-opposition and affidavit-in-reply respectively.

(Kausik Chanda, J.)