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22.07.2024
Ct. No.02
NB

HIGH COURT AT CALCUTTA
In The Circuit Bench At Jalpaiguri
Appellate Jurisdiction

WPA 1405 of 2024

Abhishek Kumar Gupta & Anr.
Vs.
The State of West Bengal & Ors.

Mr. Amales Ray,
Ms. Oshmita Mukherjee,
Mr. Nigam Mittal.
...for the petitioners.

Mr. Joyjit Choudhury,
Mr. Nabankur Paul.
...for the State.

Mr. Deborshi Dhar.
...for SMC.

Learned counsel appearing on behalf of the petitioners submits that his client is challenging a notification dated 25.07.2022 issued in terms of Section 107 of the West Bengal Municipal Corporation Act, 2006. First, it does an unreasonable classification. Secondly, the fees imposed are disproportionate to the service rendered. Reliance is placed on a decision of the Hon'ble Apex Court in **Calcutta Municipal Corpn. And Others Vs. Shrey Mercantile (P) Ltd. And Others** reported at (2005) 4 SCC 245.

Learned counsels appearing on behalf of the State and the Siliguri Municipal Corporation submit that they would like to use affidavit.

Let opposition be filed within three weeks from this date.

Reply, if any, be filed within two weeks therefrom.

List this matter for hearing after four weeks.

Urgent Photostat certified copy of this order may be supplied to the parties expeditiously, if applied for.

(Jay Sengupta, J.)