

ORDER SHEET
IN THE HIGH COURT AT CALCUTTA
Constitutional Writ Jurisdiction
ORIGINAL SIDE

WPO/344/2025

PRAGMA VANIJYA PVT LTD. AND ANR.
VS
KOLKATA MUNICIPAL CORPORATION AND ORS

BEFORE:

The Hon'ble JUSTICE GAURANG KANTH

Date: 17th July, 2025.

APPEARANCE:

Mr. Rishav Karnani, Adv.

Ms. Sweta Gandhi, Adv.

...for the petitioners.

Mr. Biswajit Mukherjee, Adv.

Mr. Gurudas Mitra, Adv.

...for the KMC.

The Court : The petitioner has preferred the present writ petition, being aggrieved by the inaction on the part of the respondent, whereby they have refused to accept the mutation application form filed on behalf of the petitioner to carry out the mutation of the commercial premises being Unit No. 1, First Floor, 13/1/1A Sura East Road, Kolkata- 700010 in the name of the petitioner on the ground that there is an outstanding property tax *qua* the said premises.

It is the case of the petitioner that the premises in question was originally belongs to the M/s. Talwalkars Better Value Fitness Limited. The said company went into liquidation and finally liquidator was appointed. The petitioner purchased the said property through e-auction for a total sale consideration of Rs.4,75,00,000/-. The Sale Certificate was issued in favour of

the petitioner on 16th January, 2025 in respect of the said premises. The petitioner approached the respondent municipality for carrying out the mutation of the said property in their name. However, the respondent municipality refused to accept the said application on the ground that mutation cannot be effected till the clearance of the outstanding property tax. In view of the said refusal, the petitioner has approached this court by way of the present writ petition.

Learned counsel for the respondent also points out that the petitioner shall file his expression of interest and other relevant documents relating to the terms and conditions of the e-auction through which he claims to have purchased the said premises.

Learned counsel for the petitioner states that he shall file the said documents by way of a supplementary affidavit within a period of two weeks from date.

Learned counsel for the respondent Corporation seeks and is granted four weeks' time to file affidavit-in-opposition. Learned counsel for the respondent shall file his affidavit-in-opposition within a period of four weeks from the date of receipt of the supplementary affidavit from the petitioner. Reply to the same, if any, be filed within two weeks.

List the matter on 28th August, 2025.

(GAURANG KANTH, J.)