

OD-3

IN THE HIGH COURT AT CALCUTTA
Constitutional Writ Jurisdiction
ORIGINAL SIDE

WPO/1625/2023

MITALI KAR
VS
KOLKATA MUNICIPAL CORPORATION AND ORS.

BEFORE :
THE HON'BLE JUSTICE AMRITA SINHA
Date : 16th November, 2023

Appearance :
Mr.Basudev Mookherjee, Adv.
Mr.Pinaki Addy, Adv.
..for the petitioner.

Mr.Alak Kumar Ghosh, Adv.
Mr.Biswajit Mukherjee, Adv.
Mr.Gurudas Mitra, Adv.
Ms.Debangana Dey Nayak, Adv.
...for the KMC.

The Court : The order dated 31st July, 2023, passed by the Hearing Officer – VI, Kolkata Municipal Corporation, is impugned in the present writ petition. The impugned order appears to be a detailed one.

Learned Advocate representing the petitioner submits that apart from violation of the principles of natural justice, no reasons have been mentioned in the impugned order.

Learned Advocate representing the Corporation submits that the writ petition is liable to be dismissed on the ground of availability of alternative remedy. It has been submitted that all the points raised by the petitioner were duly considered and detailed reasoning have been given by the Hearing Officer.

It appears that the writ petition cannot be decided without exchange of affidavits.

Let affidavit-in-opposition be filed within four weeks from date; reply, if any, be filed within a fortnight thereafter. List this writ petition after completion of affidavits.

The point of maintainability is kept open to be decided at the time of final hearing of the writ petition.

(AMRITA SINHA, J.)

sd/