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ORDER SHEET
WPO No.1628 of 2023
IN THE HIGH COURT AT CALCUTTA
Constitutional Writ Jurisdiction
ORIGINAL SIDE

ADITYA BIRLA FASHION AND RETAIL LIMITED & ANR.
-Versus-
KOLKATA MUNICIPAL CORPORATION & ORS.

BEFORE:
The Hon'ble JUSTICE AMRITA SINHA
Date:26th September, 2023.

Appearance:

Mr. Soumava Mukherjee, Adv.
Mr. Subhankar Chatterjee, Adv.
...for Petitioner.

Mr. Biswajit Mukherjee, Adv.
Mr. Swapan Kr. Debnath, Adv.
...for KMC.

The Court:-The petitioners are aggrieved by the demand notice dated 14th September, 2023 requiring payment under Section 333 of the Kolkata Municipal Corporation Act, 1980 for removal of Municipal Solid Waste from the establishment for the year 2023-24.

According to the petitioners, the Corporation does not have the right to impose any charge upon the petitioners under Section 333 of the Kolkata Municipal Corporation Act, 1980. In support of the aforesaid submission the petitioners rely upon the guidelines of enlistment of profession, trade and calling in the Kolkata Municipal Corporation areas published by the Corporation.

Learned advocate representing the Corporation is directed to take instruction in the matter.

List the matter on 04.10.2023.

It will be open for the petitioners to pay as per the demand raised by the Corporation without prejudice to its rights and contentions. Upon payment of the amount demanded, the Corporation shall take steps for

issuance of the certificate of enlistment, provided all other necessary formalities are complied with by the petitioners.

Affidavit of service filed in Court today is taken on record.

(AMRITA SINHA, J.)

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