

To

Date: 26<sup>th</sup> November, 2020

Department of Urban Development and Municipal Affairs

U. D. Branch

Nabarayan, BF - 8

Sector I, Salt Lake

Kolkata - 700 064

Ref: C.A.N. No. 3949 of 2020

W. P. No. 23287 (W) of 2015

Ravindra Kumar Chopra & Anr.

Vs.

The State of West Bengal & Ors

REJOINDER TO THE WRITTEN OBJECTION ON BEHALF OF SMT.

ANJANA CHANDA

I, Gaurav Chopra, son of Shri Birendra Kumar Chopra, aged about 31 years, by faith Hindu, by occupation business, residing at 88, College Road, Rabindranagar Complex,

Block - G, 4<sup>th</sup> Floor, Howrah - 711103, do hereby solemnly affirm and say as follows:

1. I am the constituted attorney of the petitioners above named and I am fully acquainted with the facts and circumstances of the case. I am competent and have been duly authorized by the petitioners to make and affirm this affidavit on their behalf.
  
2. I have read a copy of a written objection purportedly filed on behalf of one Smt. Anjana Chanda on an unspecified day [hereinafter referred to as the "said objection"] and I have understood the meaning, contents and purport thereof.
  
3. At the very outset, it is pertinent to state that the said Anjana Chanda has no right or title or interest in the said premises nor has she filed any vakalatnama to be represented by her Advocate before this Learned Principal Secretary.

4. By an order dated 10<sup>th</sup> August, 2020 passed by the Hon'ble Justice Soumen Sen in W. P. No. 23287 (W) of 2015 and CAN No. 3949 of 2020, whereby, the Hon'ble High Court was pleased to direct the Principal Secretary of the Urban Development Department being the respondent No.2 to the writ petition to consider the application for mutation made by the writ petitioners / us after giving an opportunity of hearing to all persons interested including the writ petitioners.

5. At the very outset, I state that the said Anjana Chanda has no right or title or interest in the property in question. It is pertinent to state that the said Anjana Chanda has no interest at all in the premises in question. In order to appreciate the same, I narrate a short chronology of events along with the documents in support thereof.

6. On 20<sup>th</sup> August, 1970, a lease deed was executed between the State of West Bengal and the Bishnupada Das and Smt. Aarati Das regarding the land of 4.23 cottahs in plot No. 130 at Block EC, Sector I, North Bidhannagar, Kolkata - 700 064.
  
7. On 25<sup>th</sup> July, 1975, a possession certificate was issued in favour of the said Bishnupada Das and Smt. Aarati Das by the Sub Divisional Officer of the Salt Lake Survey Sub Division.
  
8. On 15<sup>th</sup> July, 1990, the said Bishnupada Das died.
  
9. On 6<sup>th</sup> August, 2002, the names of Amit Kumar Das and Anjana Chanda were recorded in the certificate of mutation by the Urban Development Department being the co sharers in the undivided 50% share of the deceased Bishnupada Das.

10. On 23<sup>rd</sup> April, 2010, by a deed of gift, the said Anjana Chanda executed a registered deed of gift in favour of the said Arati Das gifting her 1/3<sup>rd</sup> share in the undivided 50% in the said plot of land.
  
11. A similar deed of gift was executed by the said Amit Kumar Das in favour of her mother, Arati Das. Accordingly, on 19<sup>th</sup> April, 2011, the name of the said Smt. Arati Das was recorded as the sole lessee in respect of plot No. EC - 130, Sector I, Salt Lake, Kolkata - 700 064.
  
12. By a registered deed of transfer of lease / deed of assignment dated 5<sup>th</sup> April, 2013, and in pursuance of an application which was allowed by the Urban Development Department on 28<sup>th</sup> March, 2013, the said Arati Das assigned the lease for plot No. EC - 130, Sector I, Salt Lake, Kolkata - 700 064 in favour of the said Birendra Kumar Chopra and Ravindra Kumar Chopra.

13. Subsequent thereto, the petitioners have applied for having their names mutated in the records of the department. However, the same has not been carried out.
  
14. In the said circumstances, the applicants were compelled to file a writ petition before the Hon'ble High court at Calcutta and after considering the submission, the Hon'ble High court was pleased to direct the Principal Secretary of the Urban Development Department to dispose off proceedings.
  
15. At the outset, I state that said Anjana Chanda has no right or title or interest over the premises at all. By a registered deed of gift, the said Arati Das had transferred her undivided  $1/3^{\text{rd}}$  share in the undivided 50% of the premises in question. The alleged deed of assignment or power of attorney dated 11<sup>th</sup> April, 2002 has got no sanctity especially

in view of the registered deed of assignment and the registered deed of gift.

16. The alleged deed of assignment in favour of M/s. ArtLand represented by its sole proprietor Tarun Das is an unregistered document and cannot be looked into for any purpose whatsoever. Further, the same is insufficiently stamped and hence, the same cannot be admitted and/or considered for arriving at any decision by any judicial or quasi judicial proceedings.
17. Save and except what are matters of record, each and every allegation contained in the various paragraphs under reference of the said objection is denied and disputed as if set out in seriatim herein and specifically traversed.
18. With specific reference to paragraph 5 of the said objection, I state that the same is absolutely

contrary to record as the said Anjana Chanda herself executed the deed of gift in favour of her mother in 2010 and hence her alleged knowledge or information apropos transfer of her alleged right over the property to M/s. ArtLand is not only flawed but also false. Having gifted her share to her mother in 2010, today she has no right or title or interest in the premises in question and she is neither a necessary nor a proper party to the present proceedings. It is astonishing as to how the said Anjana Chanda can allege the applicants / writ petitioners to be outsiders apropos the deed of assignment which has been executed in their favour by her mother during her lifetime and especially after having obtained the necessary clearance from the Urban Development Department.

19. The deed of assignment in favour of the writ petitioners have also received assent from the Government of West Bengal, Urban Development

Department as the confirming party and there is no question of any third party especially someone who has no right whatsoever in the property to object to the mutation of the names of the writ petitioners in the records of the Urban Development Department.

20. The fact of execution of the deed of gift in favour of her mother has been completely suppressed by the said Anjana Chanda. It alone would show the ulterior motive with which the instant written objection has been filed. The execution of the deed of gift is not just a fact but is a material fact which has a bearing on the outcome of the instant proceedings. Having gifted her share in the property, in favour of her mother, she is not in a position to question the deed of assignment.

21. I state that neither the present suit nor the pendency of the appeal can be a cog on the rights of the petitioners to have their names mutated in the

records of the Urban Development Department. The said Anjana Chanda not having right or title or interest in the subject premises can have no question of having any prior knowledge of the petitioners applying for mutation of the property in their names. It is denied that the said M/s. ArtLand is in possession of the suit property as the petitioners are in possession thereof. Copies of the telephone bills and electricity bills in the name of the petitioners showing that the petitioners are in possession are annexed herewith and marked with "A". I state that there is no question of the Learned Principal Secretary keeping the proceedings in abeyance. In this connection, the petitioners seek to rely upon the judgments passed by the Hon'ble High Court at Calcutta reported in 2010 (4) CHN 231; 2013 SCC Online Cal 5644; 2019 SCC Online Kerala 5661;

22. Hence, the Learned Principal Secretary may be pleased to mutate the names of the petitioners.

Thanking you

Yours sincerely,

*J. K. B. S.*

# FIXEDLINE AND BROADBAND SERVICES



Original Copy for Recipient - Tax Invoice

**Mr Birendra Kumar Chopra**

E C-130 Sec-1 Dalt Lake City District N24p

North 24 Parganas 700064  
West Bengal  
Landmark: Na



FT2119I000680443 7038131558  
Ship To State Code : 19 Place of Supply : West Bengal

<b>Fixedline number</b>	<b>03346043767</b>
<b>Broadband ID</b>	<b>033100285112_dsl</b>
Relationship number	7038131558
Bill number	FT2119I000680443
Bill date	24-Nov-2020
Bill period	23-Oct-2020 to 22-Nov-2020
Pay by date	04-Dec-2020
Security deposit	0.00
Alternate mobile no	9831015840

Email ID: gauravchopra1511@gmail.com | To update your email ID, SMS UPDATEEMAILFL <your email ID> <STD code + Fixedline no.> to 121 from your registered Airtel mobile or to 9650096500 from a registered non-Airtel mobile.

## YOUR ACCOUNT SUMMARY

Previous balance		-81.20
Payments	-	0.00
This month's charges	+	588.82
<b>Amount due till</b>		
04-Dec-2020	=	<b>507.62</b>
Amount due after		
04-Dec-2020	=	625.62

## THIS MONTH'S CHARGES

	amount(₹)
Rentals	499.00
Usage charges	0.00
Taxes	89.82
<b>Total (₹)</b>	<b>588.82</b>
<b>Total : Five Hundred Eighty Eight Rupees and Eighty Two Paise Only</b>	

**airtel**  
Pay bills, explore offers & raise service requests on Airtel Thanks App

**Pay Bill**

For Bharti Airtel Limited

*Vandana*

Vandana Arora , DGM



Fixedline number 03346043767

Bill number FT2119I000680443

Relationship number 7038131558

Amount due 507.62

For cheque/dd/pay order, payment should be in favour of "Airtel relationship number 7038131558"

This is an electronically generated statement and does not require any signature

Signature & stamp .....

**YOUR CHARGES IN DETAIL**

Rentals					
Description	From date	To date	Rental	Net charges	Total(₹)
<b>Plan Details</b>					
Scheme Charges @ ₹ 499	23/10/2020	22/11/2020	499.00	499.00	499.00

**Usage - (23-Oct-2020 to 22-Nov-2020)**

Voice-Usage					
Fixedline No : 03346043767					
Description	Total pulses	Tariff (₹/Sec)	Charges	Net charges	Total(₹)
<b>LOCAL CALLS</b>					
to airtel mobile	1	0.6/60	0.60	0.00	0.00
for information on pulse rate, tariffs and T&C on unlimited call benefits, visit <a href="http://www.airtel.in">www.airtel.in</a>					

**Usage - (23-Oct-2020 to 22-Nov-2020)**

Broadband-Usage					
Broadband ID : 033100285112_dsl					
Check your Airtel Broadband data and usage on My Airtel App. Click <a href="http://www.airtel.in/5/C_DataBalance?n=033100285112_dsl">www.airtel.in/5/C_DataBalance?n=033100285112_dsl</a>					

Tax Details							
HSN	Taxable Value	CGST		SGST/UTGST		Total Tax	Total(₹)
		Rate	Amount	Rate	Amount		
998412	499.00	9%	44.91	9%	44.91	89.82	89.82
							588.82

**This month's charges**

Bill Plan Details : Airtel-UL-Plan 499 Unlimited GB (16Mbps/1024Kbps) COMBO Plan				
Rental: ₹ 499	Quota: Unlimited	*Speed: 16 Mbps		
Tariff Details				
Voice - Call Rates	Local (Rs/sec)	STD Intra Circle (Rs/sec)	STD Inter Circle (Rs/sec)	ISD (Rs/sec)
to airtel fixedline	0.6/60	0.75/60	0.4/60	
to other fixedline	0.6/60	0.75/60	0.4/60	for country
to airtel mobile	0.6/60	0.75/60	0.3/60	specific rates
to other mobile	0.6/60	0.75/60	0.3/60	visit <a href="http://www.airtel.in">www.airtel.in</a>
to fixedline CUG	0.6/60	0.75/60	0.4/60	
to WLL	0.6/60	0.75/60	0.4/60	

\*Post consumption of Unlimited quota, the speed would be revised to 1 Mbps as per Fair Usage Policy | For information on other plans, visit [www.airtel.in/broadband](http://www.airtel.in/broadband)

**Payment Modes** - Pay online using debit/credit card, netbanking on My Airtel App, [www.airtel.in](http://www.airtel.in), eWallets, UPI, visit an Airtel Store to pay using cash/cheque/credit/debit cards or activate Auto pay options from bank account (NACH) or Credit card account (SI)

**Contact Information** - For Queries: Call 121 (toll free for Airtel), 033-44444121(for Non-Airtel number, call charges apply) | Complaints: Call 198 (toll free for Airtel), 033-44444198(for Non-Airtel number, call charges apply) | NDNC Registration: Call 1909 (Activation time: 7 days) | Complaint/SR Status: [www.airtel.in/help](http://www.airtel.in/help). Nodal Desk: 033-40016725; [nodal.kolkata@in.airtel.com](mailto:nodal.kolkata@in.airtel.com); address: Bharti Airtel Limited, Infinity Building, 5th Floor, Salt Lake Electronics Complex, Kolkata-700091, West Bengal | Appellate Desk: Mr. Priyawrat Chauhan, 033-40016676; [appellate.kolkata@in.airtel.com](mailto:appellate.kolkata@in.airtel.com); address: Bharti Airtel Limited, Infinity Building, 5th Floor, Salt Lake Electronics Complex, Kolkata-700091, West Bengal

**Corporate Coordinator Contact Information** - For queries and complaints: Call 1800102002 | Email: [Esupport@in.airtel.com](mailto:Esupport@in.airtel.com)

**Charges** - Itemized bill: Rs. 50/Bill | Duplicate Bill: Rs. 50/Bill (Last 2 months free) | Cheque / SI / ECS Decline: Rs. 200 | Late fee (Bill >Rs. 300): Rs. 100 or 2% whichever is higher. As per the Government directive, effective 1-July-17, 18% GST is applicable on Late Fee Charges. No charge is levied for any service without your explicit consent

**Address change** - Visit the nearest Airtel Store with new address proof. For store details, visit [www.airtel.in/store](http://www.airtel.in/store)

**Other Information** - Tariff Plan: No increase in any line item (except ISD) for first 6months effective enrolment date. T&C apply | No fee is charged for migrating to any plan | Disconnection: For permanent disconnection, security deposit will be refunded within 60days. Else, interest will be paid @10%p.a. | Call pulses will be rounded off | Billing disagreements should be reported within 2months of bill receipt. Post this period no claim shall be entertained. | Whether tax is payable on Reverse Charge Basis - "NO"

**Registered Office**: Bharti crescent, 1, nelson mandela road, vasant kunj, phase ii, new delhi - 110 070, india

**Corporate Identity Number**: L74899DL1995PLC070609 Bharti Airtel Limited, Infinity Building, 5th Floor, Salt Lake Electronics Complex, Kolkata-700091, West Bengal.

**Ship To State Code**: 19 **GST registration no**: 19AAACB2894G1ZK under Category TELECOMMUNICATION SERVICE **PAN**: AAACB2894G

**HSN**: 998433 On-line video content, 996812 Courier Services, 997317 Leasing or rental services concerning telecommunications equipment with or without operator, 998412 Fixed Telephony Service, 9983 Support services, 999799 Other Services n.e.c



# West Bengal State Electricity Distribution Company Ltd.

(A Government of West Bengal Enterprise)  
BILL (Domestic / Commercial)

- Internet Copy -

-14-

**WBSEDC** BIDHANNAGAR CUSTOMER CARE CENTER, PHONE No - 033-23370887 (24 HOURS)

DA 127, SECTOR 1, CALL CENTER PHONE No - 19121 (TOLL FREE)

BIRENDRA KUMARCHOPRA	Invoice No.	: 428008611296
E.C - 130 SECTOR - 1 SALT LAKE SECTOR	Prev. Reading Date	: 28.11.2019
- 1 SALT LAKE CALCUTTA	Present Reading Date	: 23.01.2020
Pin - 700064	Billing Date	: 23.01.2020
Consumer Id : 122027094	Next Reading Date	: 18.04.2020-22.04.2020
Business Partner No: 3154196	Connected Load	: 2.94 KVA
Tariff Class : A(DM-U)	LEGC-GIS Pl No:NA-NA	
Installation No : 2884201	Meter Reading unit	: 6LB19QMR
Latitude : 22.587273333		
Longitude : 88.409316666		

Meter No	Time	Previous Reading	Present Reading	MF	Unit consumed	Max Demand (KVA)
LF542773	N	2.00	38.00	1.00	36.00	
HF004676	N	1121.00	1146.00	1.00	25.00	

Bill Month	FEB, 2020	MAR, 2020	XXX
Amount due after due date (Rs.)	186.00	187.00	0.00
Due dates to avail Monthly Rebates	03.02.2020	03.03.2020	
Monthly Rebates (Rs.)	-2.12	-2.13	
Amount due within due dates (Rs.)	184.00	185.00	0.00
Special Rebate (Rs.)	0.00		
Total Amount Payable at a time within 1st Due date* (Rs.)			368.00
Amount payable at a time through e-Payment within 1st Due date			364.00

Breakup of Charges Category	Total
Energy Charge (Rs.)	323.30
Fixed/Demand Charge (Rs.)	88.20
\$Government Subsidy (Rs.) &	-113.09
Meter Rent (Rs.)	60.00
MVCA Charge (Rs.)	14.03
Gross Amount (Rs.)	372.44
Adjustments**	-0.28

Payment may be made using RTGS/NEFT in your exclusive a/c no:  
 WBB1220270942884201 with IFSC code ICIC0000104  
 As per order of WBERC dated 28.10.2016 & Subsidy from West Bengal Govt  
 # Outstandings: Rs.0.00

Last Payment Details: Amount (Rs.): 1133.00 Payment date : 26.12.2019

Normal meter HF004676 was replaced @ 500 KWH by paying within 1st due date at a time.

MVCA @ 23 p/kwh for the month of NOV, 2019-JAN, 2020

\$ ADDL GOVT SUBSIDY : -14.03

কিছু অতিরিক্ত বিদ্যুৎ (MVR) এর মাধ্যমে আপনার অতিরিক্ত দাবি মিটিয়ে দেওয়া হয়েছে। আপনি আপনার বিদ্যুৎ পরিসংখ্যানের বিষয়ে জানতে আমাদের সাথে যোগাযোগ করুন।

# Please ignore Outstanding amount if the payment has already been made & help us to correct our records by showing the money receipt to our billing section.

CHEQUES WILL NOT BE ACCEPTED AFTER DUE DATE

Monday to Friday : From 9.30 A.M. to 3.30 P.M.  
Saturday : From 9.30 A.M. to 1.30 P.M.





# West Bengal State Electricity Distribution Company Ltd.

(A Government of West Bengal Enterprise)

BILL (Domestic / Commercial)

- Internet Copy -

-15-

**ADDL** BIDHANNAGAR CUSTOMER CARE CENTER, PHONE No - 033-23370887 (24 HOURS)

DA 127, SECTOR 1, CALL CENTER PHONE No - 19121 (TOLL FREE)

BIRENDRA KUMAR CHOPRA	Invoice No.	: 682000094237
E.C - 130 SECTOR - 1 SALT LAKE SECTOR	Prev. Reading Date	: 23.01.2020
- 1 SALT LAKE CALCUTTA	Present Reading Date	: 29.04.2020
Pin - 700064	Billing Date	: 06.05.2020
Consumer Id : 122027094	Next Reading Date	: 18.07.2020-22.07.2020
Business Partner No: 3154196	Connected Load	: 2.94 KVA
Tariff Class : A(DM-U)	LEGC-GIS Pl No: NA-NA	
Installation No : 2884201	Meter Reading unit	: 6LB19QMR
Latitude : 22.591683333		
Longitude : 88.420486666		

Meter No	Time	Previous Reading	Present Reading	MF	Unit consumed	Max Demand (KVA)
LF542773	N	38.00	214.00	1.00	176.00	3.00

Bill Month	MAY, 2020	JUN, 2020	JUL, 2020
Amount due after due date (Rs.)	332.00	332.00	332.00
Due dates to avail Monthly Rebates	18.05.2020	15.06.2020	15.07.2020
Monthly Rebates (Rs.)	-3.84	-3.85	-3.85
Amount due within due dates (Rs.)	328.00	328.00	328.00
Special Rebate (Rs.)	-17.60		
Total Amount Payable at a time within 1st Due date* (Rs.)			966.00
Amount payable at a time through e-Payment within 1st Due date			955.00

### Breakup of Charges

Category	Total
Energy Charge (Rs.)	982.38
Fixed/Demand Charge (Rs.)	132.30
\$Government Subsidy (Rs.) &	-250.02
Meter Rent (Rs.)	90.00
MVCA Charge (Rs.)	40.48
Gross Amount (Rs.)	995.14
Adjustments**	-0.29

Payment may be made using RTGS/NEFT in your exclusive a/c no:

WBB1220270942884201 with IFSC code ICIC0000104

As per order of WBERC dated 28.10.2016 & Subsidy from West Bengal, Govt

# Outstandings: Rs.0.00

Last Payment Details: Amount (Rs.): 364.00 Payment date : 25.01.2020

Estimated Consumption.

Non-accessibility of consumer premises. **Pay by paying within 1st due date at a time.**

Above reading on estimated basis

MVCA @ 23 p/kwh for the month of JAN, 2020-APR, 2020

\$ ADDL GOVT SUBSIDY : -40.48

# Please ignore Outstanding amount if the payment has already been made & help us to correct our records by showing the money receipt to our billing section.

CHEQUES WILL NOT BE ACCEPTED AFTER DUE DATE

Monday to Friday : From 9.30 A.M. to 3.30 P.M.  
Saturday : From 9.30 A.M. to 12.30 P.M.

Stamp/Signature of Bill