

18.09.2020  
Ct. No.12  
SL No.5 & 6  
KS

**CPAN 326 of 2020**  
**Smt. Aparna Basu**  
**Versus**  
**Sri Somdeb Banerjee & Anr.**

**With**

**IA No:CAN 1 of 2020 (Old No.CAN 3019 of 2020)**  
**+**  
**IA No:CAN 2 of 2020 (Old No.CAN 3730 of 2020)**  
**+**  
**IA No:CAN 3 of 2020 (Old No.CAN 3731of 2020)**  
**+**  
**IA No:CAN 4 of 2020 (Old No.CAN 4102 of 2020)**  
**+**  
**IA No:CAN 5 of 2020 (Old No.CAN 4103 of 2020)**  
**+**

**W.P.A. No.5352 of 2020**

**Smt. Aparna Basu**  
**Versus**  
**The State of West Bengal & Ors.**  
**(Via Video Conference)**

Mr. Srijib Chakraborty  
Mr. Supratic Roy  
.....For the Petitioner  
Mr. Amitesh Banerjee  
Ms. Ipsita Banerjee  
.....For the State  
Mr. Anindya Lahiri  
Mr. Deepnath Roy Chowdhury  
Mr. Debdeep Sinha  
.....For the Respondent No.6  
Mr. Debabrata Saha Roy  
Mr. Arka Kumar Nag  
Mr. Subhankar Das  
.....For the B.M.C.

Contempt application, the writ petition and the vacating application are taken up for analogous hearing.

Learned advocate appearing for the petitioner seeks to withdraw both the contempt application and the writ petition with liberty to file afresh on the self-same cause of action as in the writ petition.

State and the private respondent are represented.

There is a vacating application of the private respondent also.

Since the writ petitioner seeks to withdraw the contempt application and the writ petition, the writ petitioner is permitted to do so. Interim order passed in the writ petition stands vacated. The private respondent is at liberty to dismantle every work undertaken by the writ petitioner with regard to the water supply concerned in terms of the interim order passed by the Court. The police will ensure that, no breach of peace occurs at the locale when the private respondent undertakes such work.

The petitioner is at liberty to approach the appropriate forum, in accordance with law with regard to the claim for water supply.

In view of the apology tendered by the writ petitioner in writing to the Court, the Court does not impose costs on the petitioner.

CPAN 326 of 2020, CAN 1 of 2020 (Old No. CAN 3019 of 2020), CAN 2 of 2020 (Old No. CAN 3730 of 2020), CAN 3 of 2020 (Old No. CAN 3731 of 2020), CAN 4 of 2020 (Old No. CAN 4102 of 2020) and CAN 5 of 2020 (Old No. CAN 4103 of 2020) are disposed of accordingly.

**(Debangsu Basak, J.)**