

25-05-2021

ct no. 13

Sl.8

akd/pk

**WPA 10096 of 2021
(Through Video Conference)**

**Smt. Namita Das and another
Versus
State of West Bengal and others**

**Mr. Pradip Kumar Roy,
Ms. Shraboni Sarkar**

...for the petitioners

Mr. Gopal Chandra Das

... for the K. M. C.

Since Mr. Gopal Chandra Das, learned advocate representing the K. M. C. agrees to appear in this matter, let a copy of the writ petition be served upon Mr. Das.

The petitioners complain that the private respondent No. 7 is causing nuisance within their premises, inter alia, by making construction thereat that causes obstruction and interference with the petitioners' peaceful possession and enjoyment of their property. The petitioners have made a complaint to the Assessment and Collection Department, Kolkata Municipal Corporation. There has been no reply from the Corporation. The petitioners had specifically asked for separation of the house sewerage and drainage connection of premises no. 16A, Shibtala Lane, Kolkata-700015 with that of the petitioner.

Mr. P. K. Roy, learned counsel appearing for the petitioners, submits that service has been effected on the respondent nos. 2 and 4.

Since the order proposed to be passed is unlikely to prejudice any parties, the Director General, Sewerage & Drainage Department, K. M. C. having office at 5 S. N. Banerjee Road, Kolkata-700013 shall consider the petitioners' representation, inter alia, dated 11.01.2021 within a period of three months from the date of communication of a copy of this order.

The Director General, Sewerage & Drainage Department, K. M. C. shall give a suitable notice to the private respondent no. 7 and decide the matter after hearing the petitioners as well as the private respondent no. 7. The order that may be passed may be communicated to the parties within 15 days thereof.

With the aforesaid observations, the writ petition is disposed of.

There shall be no order as to costs.

All parties are directed to act on a server copy of this order.

(Rajasekhar Mantha, J.)