

WPA 11044 of 2020

Arup Chaudhury
Vs.
The Kolkata Municipal Corporation & Ors.

Mr. R. N. Chakraborty
Mr. A. Bhattacharyya

...for the petitioner.

Mr. Suman Sengupta
Mr. Sanatan Panja

...for the State.

Mr. Nilanjan Pal

...for the respondent No.6.

The petitioner prays for new water supply connection in the Holding No.66, Banamali Naskar Road, Kolkata –700 060. The petitioner happens to be a tenant in the said premises. An application was filed by the petitioner before the Executive Engineer, Water Supply Department on 2nd November, 2020. The same has not been disposed of by the authority till date.

The learned advocate representing the private respondent, that is, the landlord herein raise an objection with regard to the supply of water in the tenanted premises of the petitioner.

None appears on behalf the Kolkata Municipal Corporation, despite service. Affidavit of service, filed in court is retained with the records.

As it appears that an application praying for water supply connection is pending consideration at the end of the K.M.C., no useful purpose will be served by keeping the writ petition pending.

The same is, accordingly, disposed of by directing the respondent No.4 being the Executive Engineer (Borough – IV), K.M.C., Water Supply Department to consider the application of the petitioner, strictly in accordance with law, at the earliest, but positively within a period of 10 weeks from the date of communication of a copy of this order, after giving an opportunity of hearing to the petitioner and all other necessary parties.

The said respondent shall pass a reasoned order and communicate the same to the petitioner and all the necessary parties immediately thereafter.

It is made clear that this court has not decided the merits of the claim of the parties and all points are left open to be decided by the said respondent at the time of consideration of the representation of the petitioner.

The writ petition is disposed of.

Urgent certified copy of this order be immediately made available to the parties subject to compliance with all requisite formalities.

(Amrita Sinha, J.)