

7.1.2021
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WPA 11101 of 2020

Sk. Rasid Ali
Vs.
The State of West Bengal & Ors.

Mr. Shaunak Ghosh,
Ms. Ananya Chakraborty,
Mr. Rajesh Naskar
... For the Petitioner.

Sk. Md. Galib
... For the State.

Affidavit-of-service filed in court today be kept
with the record.

The petitioner claims to be a small farmer who has
a plot of land in Mouza- Khiri, J.L. No.90, Plot
No.4877, Block – Kutalpur, Bankura.

It is the further case of the petitioner that for the
purpose of cultivation, he has obtained the permission
for sinking a new well on December 1, 2009 and
pursuant to such permission he has already installed
the submersible electric pump. The grievance of the
petitioner is that the private respondents are trying to
install a submersible pump within a distance of 120
meters from the submersible electric pump of the
petitioner. The petitioner apprehends that if the
private respondent is allowed to install the said
submersible pump, the petitioner will not get adequate
supply of water for cultivation. The petitioner has
already submitted a representation dated December
24, 2020 before the Assistant Engineer, Kotalpur

Customer Care Centre, West Bengal State Electricity Distribution Company Limited ventilating his grievances.

The learned Advocate for the State submits that there is no distance restriction for installation of a submersible pump. He further submits that the private respondent has already installed a submersible pump.

None appears for the private respondent in spite of service.

The learned Advocate for the petitioner prays that his representation dated December 24, 2020 be considered and disposed of by the respondent No.5.

The dispute raised by the petitioner with regard to installation of submersible pump in the instant case can be decided by the District Level Ground Water Resources Development Authority, Bankura. The petitioner has not made any representation before the said authority. Mr. Ghosh, learned Advocate for the petitioner prays that liberty be given to the petitioner to make a representation before the respondent No.3 herein and a direction be given upon the respondent No.3 herein to consider and dispose of such representation within a specified time. Such prayer is allowed.

The petitioner will be at liberty to make a representation before the District Level Ground Water Resources Development Authority, Bankura District, being the respondent No.3 herein with regard to his aforesaid grievances. If such representation is made, the said authority shall consider and dispose of the same in accordance with law.

With the above observation, WPA 11101 of 2020 is disposed of without, however, any order as to costs.

Urgent photostat certified copy of this order, if applied for, be supplied to the parties on priority basis upon compliance of all formalities.

(Hiranmay Bhattacharyya, J.)