

06
10.03.2021.
d.p.

**W.P.A 11413 of 2020
(Via Video Conference)**

**Smt. Mira Shaw
-versus
Bhatpara Municipality & Ors.**

**Ms. Lakshmi Shaw.
...For the Petitioner.**

**Mr. Rajib Mukherjee,
Mr. Subhrajit Saha.
...For the Municipality.**

The petitioner alleges that the water connection to the Premises No. 23, West Ghosh Para Road, Ward No. 9 under the Bhatpara Municipality has been disconnected without giving any prior intimation to the petitioner.

The petitioner prays for reconnection of the water supply.

The learned advocate appearing for the Bhatpara Municipality submits, upon instructions, that the water connection to the said premises has not been disconnected by the Municipality.

However, it appears from the records that a sum of Rs.49,544/- with interest is lying outstanding as on 10th December, 2020 on account of property tax of the said premises.

The Municipality claims to have forwarded a communication to the petitioner by the Chairperson,

Bhatpara Municipality by Memo No.C-12/DR-1/6483 dated 14th December, 2020, through Peon Book, with request to pay the outstanding property tax.

The learned advocate appearing for the petitioner denies that tax receipt was ever served upon the petitioner and also denies that the aforesaid communication was served through the Peon Book, as alleges or at all.

According to the Municipality, the petitioner refused to accept such communication.

On the direction of the Court to take instructions in the matter, the officials of the Bhatpara Municipality inspected the site and have found that the petitioner was not getting the water supply. It has been noted that the ferrule joint may be blocked or the supply pipe line to the holding has been broken. To come to a proper finding, the road is required to be cut. The fees of Rs.511/- only is required to be deposited by the petitioner along with current tax receipt. The petitioner was verbally intimated for payment of the arrear tax along with the necessary fees, which the petitioner refused.

As it appears that the Municipality has categorically submitted that they have not disconnected the water supply to the premises of the petitioner, it will be open for the petitioner to get the water supply line restored by using her private resources.

In the event the petitioner intends to take the help of the Municipality for reconnection of the water line, then the petitioner shall contact with the Bhatpara

Municipality with regard to the steps that are to be taken by her for getting the water line reconnected.

The instructions given by the Bhatpara Municipality is retained with the records.

W.P.A. 11413 of 2020 is disposed of.

Urgent photostat certified copy of this order be supplied to the parties, if applied for, as early as possible.

(Amrita Sinha, J.)