

Item No. 4

22.07.2022
Ct-24

In The High Court At Calcutta
Constitutional Writ Jurisdiction
Appellate Side

WPA 7910 of 2021
Ashim Saha

v.

The Kolkata Municipal Corporation & Ors.
with
CAN 1 of 2021

Mr. Subhankar Das
Mr. Neil Basu
... for the petitioner.

Mr. Ranajit Chatterjee
Ms. Sima Chakraborty
... for KMC.

The petitioner claims to be an occupier of the premises no. 394, Diamond Harbour Road, Ward No. 130, Police Station-Parnasree, Kolkata-700034 within the jurisdiction of the Kolkata Municipal Corporation. He seeks a commercial water connection at his premises.

The petitioner made a representation before the Executive Engineer, Water Supply Department of the Kolkata Municipal Corporation praying for providing commercial water connection on December 23, 2020 followed by a reminder on January 14, 2021 and alleges that the same have not been taken into consideration till date.

Learned advocate representing the Kolkata Municipal Corporation submits that a formal application

is required to be made with endorsement of the licensed plumber of the Kolkata Municipal Corporation for obtaining the commercial water connection. The same has not been done. Only a mere representation from the petitioner has been made seeking commercial water connection.

The petitioner impleaded one Sri Somnath Halder as respondent no. 4 in the writ petition who allegedly is the owner of the said premises. The said Sri Somnath Halder has expired. The petitioner has filed an application praying for substitution of the deceased. In the application for substitution the petitioner intended to implead Sri Suvojit Halder, son of the deceased Sri Somnath Halder as respondent. A copy of the application was sought to be served upon Sri Suvojit Halder but the postal envelop returned with the endorsement "Door Locked."

In view of the order that I propose to pass, no useful purpose will be served by keeping the writ petition pending as none of the parties will be prejudiced.

As it has been submitted by the learned advocate appearing on behalf of the Kolkata Municipal Corporation that an application in the prescribed format with endorsement of the licensed plumber of the Kolkata Municipal Corporation is required for the purpose of obtaining commercial water connection, accordingly, it

will be open for the petitioner to make such an application.

In the event a proper application is made in accordance with the Kolkata Municipal Corporation Act and the Rules framed thereunder, then the competent authority of the Kolkata Municipal Corporation shall consider and dispose of the same by passing a reasoned order in accordance with law after giving reasonable opportunity of hearing to all the necessary parties immediately thereafter.

The writ petition along with the connected application stands disposed of.

Affidavit-of-service filed in Court today is taken on record.

Urgent photostat certified copy of this order, if applied for, be given to the parties after completion of all legal formalities.

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(Amrita Sinha, J.)