

Item No. 111 (ML)

In The High Court At Calcutta
Constitutional Writ Jurisdiction
Appellate Side

12.09.2022
Ct-24

WPA 12401 of 2021

Nilima Das
v.
The State of West Bengal & Ors.

Mr. Shahan Shah
... for the petitioner.

None appears on behalf of the respondents despite service.

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

The petitioner submits that the private respondents are taking water connection through the private passage of the petitioner without the permission of the Maheshtala Municipality.

The petitioner filed representation before the Municipality on June 19, 2020 followed by reminder on March 1, 2021 and alleges that the same has not been taken up for consideration till date.

As the respondents are not appearing, the Court cannot decide the matter conclusively.

In view of the above, the instant writ petition is disposed of by directing the Maheshtala Municipality to

take into consideration the representations filed by the petitioner on June 19, 2020 and March 1, 2021 strictly in accordance with law, at the earliest, but positively within a period of twelve weeks from the date of communication of a copy of this order.

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

The Municipality shall afford a reasonable opportunity of hearing to the petitioner and all other necessary parties prior to passing a final order in the matter.

The petitioner is directed to forward copy of the representations dated June 19, 2020 and March 1, 2021 to the aforesaid respondent at the time of communicating the order of the Court.

The writ petition stands disposed of.

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.)