

19.05.2022
Court No. 19
Item no.27
CP

W.P.A. No. 13478 of 2021

Sujit Ghosh
Vs.
The Kolkata Municipal Corporation & ors.

Mr. Anil Kumar Chattopadhyaya

...for the petitioner.

Mr. Alope Kumar Ghosh
Ms. Tanushree Dasgupta

....for the K.M.C.

The petitioner submits that the Kolkata Municipal Corporation has failed to grant domestic water connection to the premises of the petitioner situated at M-1, Fathepur 1st Lane, Garden Reach, Kolkata – 700 024. The contention of the petitioner is that the father of the petitioner had constructed a dwelling house on the said premises and although the Electricity Department had granted the electric supply, water connection was not granted to the petitioner despite the petitioner having filed an application in the prescribed form.

It also appears that the property tax in respect of the said premises has been paid to the corporation.

The writ petition is disposed of with a direction upon the competent authority of the Water Supply

Department of the corporation to treat the writ petition as a representation and dispose of the same in accordance with law by passing a reasoned order.

The petitioner shall be heard. Prior to such hearing an inspection of the premises shall be made in order to ascertain whether there is any impediment towards grant of water supply to the petitioner. Whether there is any private dispute between the owners and the occupiers of the premises, shall also be taken into consideration by the corporation and remedial measures shall be suggested.

If it is found that the water connection can be given to the petitioner upon compliance of certain formalities, such order shall be passed by the authority. However, if the corporation is unable to grant water supply in terms of the application, then reasons for such denial shall be recorded in the order.

The entire exercise shall be completed within a period of two months from the date of communication of this order.

Accordingly, the writ petition is disposed of.

However, there will be no order as to costs.

All the parties are directed to act on the basis of the server copy of this order.

(Shampa Sarkar, J.)