

AD-26
Ct No.09
16.11.2022
TN

WPA No. 20469 of 2022

Alok Kumar Poria
Vs.
The State of West Bengal and others

Mr. Alok Kumar Poria
.... petitioner in person

Mr. Nilotpal Chatterjee,
Mr. Varun Kothri
.... for the State

Mr. Sanjay Saha
.... for the respondent nos.6 and 7

The petitioner, appearing in person, contends that despite several queries, the respondent-authorities have not disclosed any scheme for supply of potable and clear drinking water in the area from where the petitioner hails.

It is submitted that although an affidavit-in-opposition has been used by the respondents, the said affidavit-in-opposition also does not disclose any clear scheme, although the same indicates that the respondents are aware of the existence of such scheme.

Learned counsel appearing for the respondent nos. 6 and 7 contends that the petitioner does not have a personal cause of action for the writ petition,

since the petitioner has not made a proper application for getting water supply. It is assured on behalf of the said respondents that in the event such an application is made, there is no issue, subject to compliance of all formalities by the petitioner, to provide such water supply to the petitioner.

Upon hearing learned counsel for the petitioner, the State and the respondent nos. 6 and 7, it is evident that the nature of relief sought by the petitioner falls within the category of a Public Interest Litigation, at best, subject to the petitioner disclosing any proper cause of action for preferring such Public Interest Litigation and/or violation of the public interest by the authorities in any manner.

However, as rightly pointed out by the respondents, the petitioner does not have a personal cause of action for getting a disclosure of the entire scheme-in-question and relevant papers in that regard unless the petitioner discloses a specific legitimate requirement or cause of action for such disclosure.

Inasmuch the present writ petition is concerned, WPA No. 20469 of 2022 is disposed of by granting liberty to the petitioner, appearing in person with the leave of court, to apply for a new water connection at his residence in the area-in-question. If such an application is made and the formalities, as requisite in

law, are complied with by the petitioner, the respondent-authorities shall ensure that potable water supply is duly given to the petitioner in accordance with law expeditiously.

There will be no order as to costs.

Urgent photostat certified copies of this order, if applied for, be made available to the parties upon compliance with the requisite formalities.

(Sabyasachi Bhattacharyya, J.)