

**In The High Court At Calcutta
Constitutional Writ Jurisdiction
Appellate Side**

W.P.A 3208 of 2023

**Chandra Das & Ors.
-versus
State of West Bengal & Ors.**

Mr. Debdipto Banerjee
Mr. Soumen Banerjee
... for the petitioners.

Mr. Alak Kumar Ghosh
Mrs. Sima Chakraborty
... For the K.M.C.

The application for obtaining filter water connection by the petitioners could not be entertained allegedly as the premises number where the water connection has been sought for does not exist.

According to the KMC, there is no assessee number in respect of the premises where the petitioners intend to obtain the water connection.

The petitioners have filed a supplementary affidavit annexing the order passed by the Controller, Kolkata Thika Tenancy on 21st September, 2023, which mentions that the land measuring an area of 1.5 cottah comprised in premises no. 121/4L, Manicktala Main Road is declared as thika land with effect from 18.01.1982 and vested to the State, free from all encumbrances.

The returnees of Sumita Dassi @ Sumati Bala Dassi (since deceased) have been declared as the post facto thika tenants. The successors in interest of the original returnee have also been jointly declared as thika tenant in the premises in question.

The Controller passed order to intimate the fate of the proceeding to the KMC Authority. As the original premises number 121/4L, Manicktala Main Road has been subsequently rebutted, the said property, if required, may be allotted a separate premises number and if so given the same shall be communicated to the Controller, Kolkata Thika Tenancy.

It appears from the submission made on behalf of the parties that right now the premises where the water connection is to be effected is required to be identified and a fresh assessee number and premises number is to be allotted.

The Corporation shall take necessary steps to act in terms of the direction passed by the Controller, Kolkata Thika Tenancy and intimate the petitioners the assessee number and the premises number so that the petitioners can proceed with the application for obtaining filter water connection at the newly numbered premises.

On receiving the new number and the assessee number, the petitioners may apply for filter water connection in accordance with the relevant laws. The said application shall thereafter be considered by the Corporation in accordance with law at the earliest.

Supplementary affidavit filed by the petitioners is taken on record.

The writ petition stands disposed of.

Urgent certified photocopy of this order, if applied for, be supplied to the parties expeditiously on compliance of usual legal formalities.

(Amrita Sinha, J.)