

01.08.2023

Item No.5

Ct. No.1

PG/KS

W.P.A.(P) 342 of 2023

Sk. Rahamat Ali

Vs.

The State of West Bengal & Ors.

Sk. Morshed Ali

.....for the petitioner

Mr. Samrat Sen, Ld. AAAG

Mr. Saikat Chatterjee

.....for the State

1. The petitioner's grievance is that a water supply scheme is put in place for supplying drinking water to the people of the locality. The 8th respondent has illegally usurped the said facility to himself and it is alleged that the 8th respondent is demanding money from the persons of the locality for supply of drinking water.
2. Since the 8th respondent has not been served, we are not inclined to adjudicate the correctness of the allegations made. Nonetheless, if drinking water supply has been put in place by utilizing the funds of the State Government, water has to be supplied to all members of the locality and no

individual person can claim an exclusive right over the said water supply project.

3. In the light of the above, we direct the 7th respondent to consider the petitioner's representation and conduct a spot inspection of the area in question after notice to the 8th respondent and take appropriate action in accordance with law so as to ensure that the people of the locality are not deprived of drinking water supply.
4. Let this direction be complied with within a period of four weeks from the date of receipt of server copy of this order.
5. With the above directions, the writ petition stands disposed of.
6. No costs.
7. Urgent Photostat certified copy of this order, if applied for, be furnished to the parties expeditiously upon compliance of all legal formalities.

(T. S. SIVAGNANAM)
CHIEF JUSTICE

(HIRANMAY BHATTACHARYYA, J.)