

Item No. 7

In The High Court At Calcutta
Constitutional Writ Jurisdiction
Appellate Side

20.03.2023
Ct-24

WPA 16959 of 2022
Smt. Pratima Ghosh & Ors.

v.

The State of West Bengal & Ors.

Ms. Nibedita Chakraborty
... for the petitioners.

Mr. N.C. Bihani
Ms. P.B. Bihani
Mr. Soumyajit Ghosh
... for the Municipality.

Mr. Rajarshi Basu
Mr. K.M. Hossain
... for the State.

None appears for the added private respondents.

By order dated February 24, 2023 the Court directed the private respondents to file an affidavit declaring that they will not object any of the petitioners from collecting water from the existing connection through the ferrule.

The said affidavit has not been filed.

Learned advocate for the petitioners submits that despite the submission made in Court on behalf of the private parties, the petitioners are restrained from collecting water from the existing water connection.

It has been submitted by the learned advocate for the petitioners that the men and agents of the Municipality inspected the premises of the petitioners and took note of the existing reservoir.

The prayer of the petitioners for obtaining separate water connection is pending before the Municipality. The Municipality is directed to consider the prayer of the petitioners for grant of a separate water connection in the portion which the petitioners are occupying.

The Municipality may consider for providing a separate water connection from the existing ferrule.

Till a decision is taken by the Municipality, the private respondents are restrained from objecting the petitioners from collecting water from the existing water connection.

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.

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(Amrita Sinha, J.)