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

W.P.A. 8161 of 2020

**Subhaduti Pan
-versus
The State of West Bengal & Ors.**

**Mr. Dipayan Kundu.
...For the Petitioner.**

**Mr. Somnath Roy.
...For the Municipality.**

**Mr. Sanat Das,
Mr. Surodip Bhattacharjee,
Ms. Moumita Roy Chowdhury.
...For the Private respondents.**

Affidavit-in-opposition filed on behalf of the respondent Nos. 13 to 17 and the reply thereto filed by the petitioner are taken on record.

The grievance of the petitioner is that due to non-maintenance of the water body in proper manner and on account of dumping garbage in the water body, the underground drainage system of the Municipality is being blocked. Because of the blockage, water is accumulated in portions of the premises of the petitioner.

The petitioner filed objection before the Chairman of Bhadreswar Municipality and complains that the same has not been taken up for consideration till date.

Learned advocate appearing for the private respondents denies the allegation made on behalf of the petitioner.

It has been submitted that the department of Fisheries inspected the water body in question. The B.L & L.R.O. also enquired the complaint of the petitioner. Necessary communication has been made by the Assistant Director of Fisheries, Hooghly to the Executive Magistrate of Chandannagar in the proceeding under Section 133 Cr.P.C.

Learned advocate appearing for the Municipality submits that no formal complaint was lodged by the petitioner highlighting his grievances.

It has been submitted that there are private disputes in between the parties and the petitioner is trying to settle the same by filing the present writ petition.

After hearing the submissions made on behalf of all the parties and upon perusal of the materials on record, it appears that a comprehensive representation is required to be filed by the petitioner highlighting all his grievances.

In the event such a representation is filed by the petitioner before the Municipality, then the same shall be taken into consideration in accordance with law, after giving a reasonable opportunity of hearing to all the necessary parties or their authorized representative.

A reasoned order shall be passed and communicated to the parties.

It is made clear that the Municipality shall not adjudicate any civil/private dispute in between the parties and the parties will be at liberty to agitate their grievances with regard to their private rights before the competent forum, if so advised.

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.)