

29.08.2024
Item No.12
gd/ssd

WPA(P)/294/2024
SUBRATA MALLICK
VS
STATE OF WEST BENGAL AND ORS.

Mr. Saheb Banerjee
..for the Petitioner.

Sk. Md. Galib,
Mr. Abu Siddique Mallik
..for the State.

Mr. Ashok Prasad
..for the Respondent No.9.

Mr. Sukanta Ghosh
..for the Respondent No.13.

1. This public interest writ petition alleges that certain contractors who have been appointed by the National Highways Department are unauthorisedly drawing water.

2. As could be seen from the annexures to the writ petition the petitioner has raised several queries under the Right to Information Act, 2005 and replies have been given by the authorities.

3. If, according to the petitioner, the replies are not satisfactory, the appellate remedy is available under the said Act.

4. In any event there is no representation to the authorities and if the contractors have been permitted by the Government of India for the purpose of construction of National Highways then it goes without

saying that necessary infrastructure facilities have to be provided, namely, the availability of raw materials such as sand, cement etc. as well as the water.

5. In any event if there is any illegal drawal of water for commercial purpose, the matter is a different issue.

6. Apart from that, we find from the reply given by the National Highways Authorities to the petitioner dated 29.06.2024 one of the EPC sub-contractor, namely, Ashoka Buildcon Limited has taken permission from the State of West Bengal for sinking of submersible pump..

7. Thus, this court is not inclined to entertain this writ petition.

8. Accordingly, the writ petition stands dismissed.

(T. S. SIVAGNANAM)
CHIEF JUSTICE

(HIRANMAY BHATTACHARYYA, J.)