

WPA 21914 of 2023
Kesto Chatterjee
Vs.
North Barrackpore Municipality & Ors.

Mr. Subir Sanyal,
Mr. Suthirtha Das

...for the Petitioner

Mr. Subhabrata Das,
Mr. Mrinal Kanti Das,
Mr. Kartick Kr. Goyal

...for North Barrackpore Municipality

The petitioner claims to be the tenant in respect of the premises no. 381, 199 G.B. Mondal Road, Post Office-Ichapur-Nawabgunj, Pin – 743 144. The petitioner, by filing this writ petition, has prayed for a separate water connection to facilitate the operation of his shop at the said premises.

Learned advocate appearing for the Municipality submits that the petitioner has not applied before the Municipality in the prescribed form for a separate water connection.

The petitioner has not impleaded the landlord as a party in this writ petition.

However, in view of the order that I propose to pass in this writ petition, the presence of the landlord may not be necessary.

The entitlement of a tenant or an occupier to get

a separate water connection has been decided by this Court by the judgments in ¹**(Ajit Kumar Ghosh v. The State of West Bengal)** and ²**(Mukti Nath Jha v. Bally Municipality)**.

Therefore, this writ petition is disposed of with a liberty upon the petitioner to file an application before the Municipality in the prescribed form seeking a water connection at the relevant premises within one month from date.

The Corporation shall decide the said application after giving an opportunity of hearing to the landlord as well as the petitioner within two months from the date of application filed by the petitioner.

Accordingly, **WPA 21914 of 2023** is disposed of.

Urgent photostat certified copy of this order, if applied for, be supplied to the learned advocates for the parties on usual undertakings.

(Kausik Chanda, J.)

¹ (2014) 1 CHN 320

² (1995) 1 CHN 465