

Item No.103
16.01.2024
Court. No. 24
GB

W.P.A. 24755 of 2023

Sounak Sen

Vs.

The Kolkata Municipal Corporation & Ors.

Mr. Emon Bhattacharya,
Ms. Pooja Sah,
Ms. S. Ray

...for the Petitioner.

Mr. Barin Banerjee,
Mrs. Sima Chakraborty

...for the K.M.C.

The petitioner prays for water connection in accordance with the order passed by the Executive Engineer (Water Supply) (South), Kolkata Municipal Corporation dated September 28, 2022.

The Executive Engineer ordered that an additional domestic connection may be provided to the petitioner under Section 254 read with Section 265(1) of the Kolkata Municipal Corporation Act, 1980. The connection is chargeable and the petitioner is required to engage a registered plumber to get such connection. Certain documents were directed to be submitted by the petitioner.

It appears that the petitioner submitted the documents sought for. A further communication dated October 21, 2022, was made by the Executive Engineer mentioning that the NOC from the Assessment Collection Department as well as the assessment book enclosed with the application for obtaining the water supply connection refers to the premises no.7B, Charu Avenue and the assessment

book records that the building is two storied; whereas, during investigation it revealed that there is an existing three storied building. The petitioner was directed to clarify the above facts.

The petitioner by a communication dated September 28, 2022 clarified that as per the best of his knowledge, premises no.10/7B and premises no.7B, Charu Avenue is one and same identical premises. As regards the structure in the second floor it has been mentioned, that there is only one small room with asbestos shed in the terrace.

The petitioner submits that after the clarification being given, the Corporation did not take any further steps in the matter. The petitioner is without water. A further representation was filed by the petitioner on October 3, 2023 requesting water connection to be given in terms of the order of the Executive Engineer. The same is yet to be addressed.

Upon perusal of the documents annexed to the writ petition, it appears that the Corporation is agreeable to provide an additional domestic water connection. The petitioner is agreeable to pay the necessary charges required for the same.

There are two issues right now; first is the address of the premises and second is the room in the second floor. The petitioner has already clarified the issue by his letter dated October 28, 2022. The Corporation ought to take into consideration the clarification given by the petitioner and thereafter, take steps to implement the decision of the Executive Engineer dated September 28, 2022. If the

clarification provided by the petitioner appears to be sufficient, then steps shall be taken by the respondent authority to provide the additional domestic connection at the earliest.

The Executive Engineer (Water Supply) (South), Kolkata Municipal Corporation is directed to conclude the proceeding at the earliest but positively within a period of ten weeks from the date of communication of this order.

The writ petition stands disposed of.

Urgent photostat certified copy of this order, if applied for, be given to the parties on priority basis.

(Amrita Sinha, J.)