

WPA 26476 of 2024

**Karunamoyee Samanta
Vs.
Howrah Municipal Corporation & Ors.**

Mr. Jayanta Samanta
Mr. Dip Jyoti Chakraborty
Ms. Sumitra Chakraborty
Mr. Rajdeep Adhikary

... .. for the petitioner

Mr. Sandipan Banerjee
Mr. Ankit Sureka

... .. for the HMC

1. The instant writ petition is filed by the petitioner on the basis of some attending facts which disclosed that there was a graveyard at 163 Andul Road, Howrah within the Ward No.39 of Howrah Municipal Corporation. Due to immense rain, the western side of such Kabarstan (Graveyard) has broken down and it has been alleged that huge mud including the numerous decomposed and uncomposed body and debris were oozing out. The situation so severe that the present petitioner made a representation with the concerned Howrah Municipal Corporation on 27th October, 2024 but the HMC has only placed some bamboo poles. So she prays for necessary direction so that the respondent authority may reconstruct the boundary wall within a very short period.

2. Learned counsel appearing on behalf of the State authority submits that the petitioner may be directed to submit fresh representation with the concerned Commissioner.
3. Having heard the parties and considering the attending situation, it appears to me that the western wall of the graveyard which was damaged due to immense rain which need to be repaired in war footing situation as the decomposed and uncomposed body and mud are oozing out from the graveyard. The situation became very serious in nature in the locality.
4. Under the above circumstances, the respondent authority is directed to take appropriate steps by making boundary wall in terms of the prayer “b” of the writ petition.
5. I make it clear that the respondent authority shall make a specific enquiry within seven days from the date of this order and shall comply with the order positively within six weeks thereafter.
6. As the affidavits are not exchanged, the allegations made in the instant writ petition shall be deemed to have been not admitted.

7. With the aforesaid directions, this writ petition is disposed of.

8. All parties shall act on the server copy of this order duly downloaded from the official website of this Court.

(Subhendu Samanta, J.)