

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

W.P.A 27576 of 2022

**Satabdi Hazra & Anr.
-versus
The State of West Bengal & Ors.**

**Mr. Uday Sankar Chattopadhyay.
Mr. Subhayu Das.
...For the Petitioners.**

**Mr. Subhasis Bandopadhyay.
...For Municipality.**

**Mr. P. K. Bhattacharya.
...For the respondents no. 8 to 11.**

**Ms. Sipra Majumdar.
Ms. Sangeeta Roy.
...For the State.**

The petitioners allege that the private respondents have forcefully demolished the boundary wall of the petitioners and using the land as a pathway.

Representation was filed before the Chairman, Burdwan Municipality which is alleged to be kept pending.

Learned advocate representing the private respondents denies the allegation of the petitioners.

The Municipality submits that the private dispute in between the petitioners and the private respondents cannot be adjudicated by the municipality.

Upon hearing the parties and upon perusal the materials on record, it appears that there are several disputed questions of facts involved in the instant writ petition. It will not be proper to direct the Municipality

to ascertain as to whether there existed a boundary wall which was demolished by the private respondents.

It will be for the petitioners to approach the competent civil forum for remedy.

As regards the prayer made by the petitioners for grant of water connection, the municipality shall consider such prayer in accordance with law.

A decision with regard to the water connection shall be taken by the municipality at the earliest but positively within a period of twelve weeks from the date of communication of this order.

The writ petition stands disposed of.

Urgent certified copy of this order, if applied for, be supplied to the parties expeditiously, on compliance of usual legal formalities.

(Amrita Sinha, J.)