

22.08.2024
Sl.17
Ct. No.2
S.A.

**IN THE HIGH COURT AT CALCUTTA
CIRCUIT BENCH AT JALPAIGURI
APPELLATE SIDE**

WPA 1810 of 2024

**Tatun Guha
-Versus-
The State of West Bengal and Ors.**

Mr. Bikramaditya Ghosh,
Mr. Deborshi Dhar

..for the Petitioner

Mr. Joyjit Choudhury, Ld. AAG
Ms. Bedashruti Bose,
Mr. Pradip Sarkar

...for the State

It is the grievance of the petitioner a water pipeline has been installed on his land by respondent no. 4, obstructing the use of the property. The petitioner made a representation before the concerned authority for removal of the Pipeline and to find out an alternative route to prevent encroachment of his land. The petitioner submits that despite repeated representations, no steps have been taken by the respondents.

Mr. Joyjit Choudhury, learned Additional Advocate General appearing on behalf of the State submits that upon enquiry, it was found that the pipeline was laid on the land of the petitioner inadvertently by the contractor engaged for the execution of the work.

It has further been submitted that the department has identified an alternative route to realign the pipeline without disrupting the water supply.

Mr. Choudhury submits that due to the resistance from the local people, the pipeline could not be removed from the land of the petitioner.

In view of the aforesaid stand taken by the State, I do not find any justification for prolonging this writ petition.

Accordingly, this writ petition is disposed of with a direction upon respondent no. 4 to realign the pipeline through the alternative route as expeditiously as possible. Respondent no. 6 shall render necessary assistance to respondent no. 4 to remove the existing pipeline from the land of the petitioner and in implementing the realignment through the alternative route.

WPA 1810 of 2024 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.)