

11.02.2025
Item No.24
Ct. No.35
dc.

W.P.A. 960 of 2024

**Noorul Ahad
versus
The State of West Bengal & Ors.**

Md. Saifur Rahaman ... For the Petitioner.

Mr. Rajarshi Basu,
Mr. Ananda Dulal Sarkar ... For the State.

Md. Salahuddin,
Md. Ahsanuzzaman,
Md. Raziuddin ... For the Board of Auqaf.

Report submitted by the learned advocate appearing for the State be kept with the record. A copy of the report be handed over to the learned advocate appearing for the petitioner.

The petitioner claims that overhead water connection is being disrupted at the behest of the private respondents and to that effect in spite of informing the police authorities, no steps have been taken. In fact, according to the petitioner, the private respondents have established a direct connection of water supply from the point where water is supplied by the KMC authorities.

State has submitted a report which reflects that there was issue relating to water leakage which was being repaired by the private respondents and local enquiry reflected that there was a hot altercation between the petitioner and the private respondents. State has also drawn the attention of the Court to the report that several criminal cases have been instituted at the behest of the petitioner.

At least six series of cases are reflected in the report which according to the Officer-in-Charge of the concerned police station are only in respect of the last two years.

In view of nature of the dispute complained of, the petitioner would approach the appropriate forum for remedies relating to water supply. If an appropriate authority passes any direction, then only the police authorities would act.

Having considered the nature of the dispute complained of, I am of the opinion that the same do not call for invoking the powers under Article 226 of the Constitution of India.

As directed above, the petitioner would be at liberty to approach the civil court or the appropriate forum concerned.

With the aforesaid observations, the writ petition being WPA 960 of 2024 is disposed of.

There will be no order as to costs.

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

Urgent photostat certified copy of this order, if applied for, be supplied to the parties upon compliance with all requisite formalities.

(Tirthankar Ghosh, J.)