

N.22Sl

WPA 3337 of 2025

151/CL

19.12.25

Sl-632

Ct.551

(S.R.)

Amritvani Exim Pvt. Ltd. & Anr.

v.

The State of West Bengal & Ors.

Mr. Farhan Ghaffar

Mr. Kallol Saha

Mr. Akash Ghosh ... for the petitioners.

Mr. Tauhid Khan ... for the State.

Mr. Suddhadev Adak

... for the respondent nos.4 & 5.

1. Affidavit of service as filed today on behalf of the petitioners is taken on record.
2. When this writ petition was initially moved, it was submitted by Mr. Ghaffar, learned advocate appearing for the petitioners that the petitioners were aggrieved by the arbitrary action on the part of the respondent no.4 in not granting water connection to the factory premises of the petitioners despite there being a lease deed in favour of the petitioners and despite the petitioners having made payment in respect of water connection as demanded by the respondent no.5 by way of a letter dated March 01, 2021 issued by the Advisor Project of the respondent no.4.
3. On November 28, 2025, a copy of instructions forwarded by the respondent nos. 4 and 5 to the learned advocate for the said respondent was

handed up to Court, which revealed that payment for the purpose of water connection had been made by one M/s. Surya Alloy Industries Pvt. Ltd. and not the petitioners.

4. Today, when the matter is taken up, Mr. Ghaffar submits that M/s. Surya Alloy Industries Pvt. Ltd. is a sister concern of the petitioners. He, however, submits that the petitioners are in possession of the premises in question and water connection should be granted in favour of the petitioners. Such contention is, however, opposed by Mr. Adak, learned advocate appearing for the respondent no.4 and 5 by submitting that M/s. Surya Alloy Industries Pvt. Ltd. is a separate juristic entity and payment made by it cannot amount to payment made by the petitioners. It is further submitted that in any case M/s. Surya Alloy Industries Pvt. Ltd. has already been granted water connection on the strength of the payment made by such entity.
5. Mr. Ghaffar then submits that the petitioners are ready and willing to make payment for the purpose of getting water connection in case appropriate quotation therefor is raised by the respondent nos. 4 and 5. He submits that the petitioners have already made representations dated April 22, 2022 (Annexure P-3 at page 26), July 19, 2024 (Annexure P-7 at page 37) and December 18, 2024 (Annexure

P-6 at page 43) to that effect to the respondents. Attention of this Court is invited to the letters dated April 22, 2022 and July 19, 2024 where it has been mentioned that the petitioners have asked the respondent WBIDCL authorities to inform them about the necessary formalities to be completed from the petitioners' end.

6. Heard the learned advocates appearing for the respective parties and considered the material on record.
7. In view of the nature of the case run by the petitioners in the writ petition, this Court is of the view that no purpose will be served by keeping the writ petition pending and calling for affidavits. Since, the petitioners have made a representation seeking water connection before the respondent no. 5 i.e. the Executive Director, West Bengal Industrial Development Corporation Limited, the said authority i.e. the respondent no.5 shall consider the petitioners' representation dated April 22, 2022 annexed at Annexure P-3 at page 36 of the writ petition and dispose of the same, in accordance with law. If the said authority finds that the petitioners are entitled to water connection, the said authority shall grant such connection to the petitioners in accordance with law subject to the petitioners complying with all necessary formalities

including payment of charges, if any. If the said authority finds that the petitioners are not entitled to water connection, then the said authority shall inform the petitioners the reasons as to why are the petitioners not entitled thereto.

8. Needless to mention that all formalities including payment of costs, charges and/or any other amount, will have to be completed by the petitioners, in accordance with law, for the purpose of getting water supply.
9. It is clarified that this Court has not gone into the merits of this Case and the respondent no.5 shall be free to take a decision as to the petitioners' entitlement to water supply and as regards the formalities including payment required to be completed by the petitioners for such purposes. The respondent no.5 shall take an independent reasoned decision in the matter within a period of four weeks from the date of communication of this order and shall inform the result thereof to the petitioner within one week from the date of such decision.
10. The petitioners shall cooperate with the respondent no.5 and shall furnish all relevant documents that the respondent no.5 may require for the purpose of deciding the issue. The respondent no.5 shall also afford an opportunity of

hearing to the petitioners before taking the final decision.

11. With the aforesaid observations WPA 3337 of 2025 stands disposed of.
12. There shall, however, be no order as to costs.
13. Urgent certified photocopy of this order, if applied for, be supplied as expeditiously as possible.

(Om Narayan Rai, J.)