

10th June, 2025

Item no. ML 24
Court No. 14

Asraf, A.R.(Ct.)

In the High Court at Calcutta
Constitutional Writ Jurisdiction
Appellate Side

Case No. **WPA 3736 of 2024**

In the matter of :
SMT. ANNAPURNA MAJUMDER & ANR.
.... Petitioners

VS.

THE STATE OF WEST BENGAL & ORS.
....Respondents

For the Petitioners :

Mr. Sandip Ghosh

Mr. Partha Sarkar

....Advocates

For the Respondents / State :

Mrs. Jyotsna Roy Mukherjee

Ms. Srijani Mukherjee

....Advocates

1. Affidavit of service filed in Court today is taken on record.
2. The petitioners are aggrieved by the act of the State respondents in laying underground pipeline for supplying water connection to nine families through a plot of land which the petitioners claim to be theirs.
3. The Executive Engineer, Burdwan Division, PHE Directorate has forwarded a report before this Court signed on 27th February, 2024 which mentions that the Nabagram Pipe Water Supply Scheme has been laid along the land being Dag nos.789 and 791 to supply drinking water to nine

families residing at the tail end. During execution of laying of the pipeline, there was no information either from the petitioners or from the local villagers regarding any injunction over the aforesaid dag numbers. None created any hindrance at the time of laying the pipeline. Currently, all the nine families are getting the benefit under the Jal Jeevan Mission Scheme.

4. Learned advocate for the petitioners submits that the authority ought not to utilize the private land of the petitioners for public purpose without acquiring the same and without payment of compensation. It has also been submitted that there is an alternative route through which water connection could have been given to the villagers.
5. It appears that a representation filed by the petitioners before the Assistant Engineer, Rural Water Supply, PHE is pending consideration.
6. Without entering into the merits of the said representation, the instant writ petition is disposed of by directing the Assistant Engineer, Rural Water Supply, Public Health Engineering Department being the respondent no.2 to consider and dispose of the petitioners' representation in accordance with law at the earliest after giving reasonable opportunity of hearing to all the necessary parties and by passing a reasoned order

positively within a period of twelve weeks from the date of communication of this order.

7. The writ petition stands **disposed of**.
8. Urgent Photostat certified copy of this order, if applied for, be supplied to the parties expeditiously after complying with all requisite formalities.

(Amrita Sinha, J.)