

08.04.2025
Sl. No.12
Ct.3/ tkm

W.P.A. 15371 of 2024
[Sudhanshu Sekhar Pal vs. State of West Bengal & Ors.]

Dr. B P Dutta
Mr. Dilip Kr. Mandal
Mr. Rohan Shaw
... .. for the petitioner

Ms Jhuma Chakraborty
Mr. Suddhadeb Adak
... .. for the State

1. The petitioner in the present writ petition is aggrieved by the non grant of water connection by the respondent municipality. However, the present writ petition is not maintainable, as the reliefs sought herein are substantially identical to those prayed for in an earlier writ petition, being WPA 9716 of 2022, wherein the petitioner had sought a separate water connection to the portion of the premises under his occupation.
2. This court vide order dated 12.9.2022 in WPA 9716/2022, had already disposed of the said writ petition by giving a direction to the Chairman of the Barrackpore Municipality to pass a final order on petitioner's representation to provide separate water connection in the portion of the premises which the petitioner has been occupying. It was further directed by this Court that in the event of the rejection of the prayer of the petitioner by the Municipality, the reasons

for such rejection shall be intimated to the petitioner.

3. The respondent municipality failed to comply with the order of this Court dated 12.09.2022, and the petitioner initiated contempt proceedings by filing CPAN 118 of 2023, which was disposed of by this Court on 22.2.2024 wherein it was recorded that a reasoned order dated 29th December 2023 was passed by the Chairman of the Municipality in pursuance of the direction issued by this court in WPA 9716 of 2022.
4. The petitioner, instead of challenging the said order dated 29.12.2023, has once again approached this Court on the basis of the same cause of action, seeking the same relief that has already been adjudicated and decided by this Court. It is to be noted that the petitioner has not even annexed the copy of the order dated 29.12.2023 along with the present writ petition.
5. In view of the same, the present writ petition is disposed of by granting liberty to the petitioner to challenge the order dated 29.12.2023 in accordance with law.
6. Accordingly, the present writ petition is dismissed.

(Gaurang Kanth, J.)