

17.06.2025  
Item No. 07.  
Court No.37.  
AB  
(ID 266330)

**R.V.W. 131 of 2022**  
**In**  
**MAT 884 of 2022**

**Haripada Maiti**  
**Vs**  
**Pankaj Ranjan Maity & Ors.**

Mr. Dyutiman Banerjee,  
Mr. Vishal Mallick,  
Mr. S. K. Maity .....For the Petitioner.

Mr. Sabyasachi Mondal,  
Ms. Payel Khanra .....For the Respondents/  
Appellants.

Mr. Gausul Alam,  
Mr. Atarul Hoque Molla....For the Respondents.

**Dictated by Arijit Banerjee, J.**

1. This review application is directed against an order dated June 17, 2022, whereby MAT 884 of 2022 was disposed of by us along with CAN 1 of 2022.
2. The appeal was directed against an order dated June 7, 2022, whereby a learned Single Judge disposed of WPA 6879 of 2022. The operative portion of the order impugned in the appeal reads as follows:

*“Accordingly, the Tamralipta Municipality is directed to take immediate steps for giving the water supply connection to the premises of the petitioner through the same common passage from where water supply has been effected to the private respondents i.e. the co-owners of the said premises. Steps shall be taken in the matter by the Municipality positively within a*

*period of two weeks from the date of communication of this order.*

*The date of installing the pipeline shall be intimated in advance to the parties.*

*The Officer in charge, Tamluk Police Station is directed to depute a competent person at the site on the date of effecting the water supply connection to ensure that there is no breach of peace in the locale.*

*The private respondents i.e. the co-owners are restrained from creating any sort of disturbance or interference at the time of effecting the water supply connection in the premises of the petitioner in the manner as indicated hereinabove.”*

3. Having heard learned Counsel for the parties, we were of the view that there may be serious factual disputes between the appellants and the respondent/writ petitioner. We noted that the writ petition was disposed of by the learned Judge without calling for affidavits. We were of the view that the writ petition should have been disposed of upon exchange of affidavits. Hence, we had set aside the order under appeal and remanded the matter to the learned Single Judge having determination in the matter after directing exchange of affidavits.
4. Learned Advocates for the parties apprise us that in terms of the order under review, the parties have exchanged affidavits before the learned Single Judge. The writ petition is ready for hearing.
5. We do not find any error apparent on the face of the order under review. No ground for review

within the scope of Order 47 Rule 1 of the Code of Civil Procedure has been made out.

6. Hence, we see no reason to review the order dated June 17, 2022.
7. The review application being RVW 131 of 2022 stands dismissed.
8. The parties will be at liberty to mention the matter before the learned Single Judge having determination for hearing of the writ petition.
9. All parties shall act in terms of server copy of the order downloaded from the official website of this Court.

**(Rai Chattopadhyay, J.)**

**(Arijit Banerjee, J.)**