

25
17.02.2025
Court No.14
AGM

IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION

WPA 27733 of 2024

Rabin Pal
Vs.
The State of West Bengal & Ors.

Mr. Sarajit Roy.
...for the petitioner.

Mr. Ashim Kumar Ganguly.
Mr. Bellal Sekh.
..for the State.

1. The matter relates to construction of overhead reservoir for providing drinking water to the members of the locality.
2. The petitioner apprehends that the construction of the overhead reservoir is made contrary to the guidelines for preparation of piped water supply scheme published by the Public Health Engineering Directorate.
3. The petitioner made a representation before the District Magistrate, Paschim Midnapore and alleges that the same has not been considered.
4. Learned advocate representing the State respondents has relied upon a report of the Executive Engineer, Midnapore Division Public Health Engineering Directorate signed on 23rd November, 2024 which mentions that the project land has been obtained from the land owner with consent and no additional

treatment plant is required for the ground water passage based drinking water supply scheme project. There is no requirement for space for other support services like Warehouse, Iron and Arsenic Elimination Plant, Chemical House, Service Quarters, etc. Bare minimum space required is 45'X60', depending upon the capacity of overhead reservoir. In this case, land available is more than that as mentioned in the sketch map.

5. The role of the respondent authorities is to provide adequate safe drinking water to the citizens. The topographical condition of the command area has satisfied the condition in respect of smooth running of drinking water supply as per the guidelines of "Jal Jeevan Mission".
6. Upon a perusal of the report of the Executive Engineer and on hearing the parties, it appears that the apprehension of the petitioner is misplaced. The project is reported to have been prepared in accordance with the prescribed guidelines.
7. In view of the above, the Court is not inclined to interfere in the instant writ petition.
8. The writ petition fails and is hereby dismissed.
9. The copy of the report of the Executive Engineer has been handed over to the learned advocate for the petitioner in Court today.
10. Urgent certified photocopy of this order, if applied for, be supplied to the parties expeditiously on compliance of usual legal formalities.

(Amrita Sinha, J.)