

15.01.2025.
Monthly List Item No. 40.
Court No. 35
ap

W.P.A. No. 30331 of 2024

**Narayan Chandra Jana
Versus
The State of West Bengal & Ors.**

Mr. Soumen Dutta,
Mr. Rahul Banerjee.

...For the petitioner.

Mr. Joydip Banerjee,
Mr. Alok Banerjee.

...For the State.

1. Affidavit-of-service filed by the petitioners be kept with the record.
2. Petitioner has complained that within 150 meters away from an existing submersible pump of the petitioner, the private respondent has also installed a submersible pump which is in violation of the relevant provisions of the Statute.
3. This Court is of the view that police at present has got no role to play in the matter.
4. The petitioner is directed to submit a proper representation to the licensing authority under the Statute. If the licensing authority arrives at a conclusion that submersible pump installed at the behest of the private respondent is in violation of the Statute, necessary penal consequence be imposed upon the private respondent. If the licensing authority feels the assistance of the police authorities are required to execute their order, they will pass necessary order in accordance with law.

5. Report filed by the State in Court today be kept with the record.

6. With the aforesaid observations, W.P.A. No. 30331 of 2024 is disposed of.

7. There will be no order as to costs.

8. All parties are directed to act on a server copy of this order duly downloaded from the official website of this Court.

(Tirthankar Ghosh, J.)