

22.01.2026

Court No.3

DL/Item No.-5

[pp/Milan]

**IN THE HIGH COURT AT CALCUTTA
Constitutional writ Jurisdiction
Appellate Side**

WPA 615 of 2026

**Taher Ali Molla & Ors.
VS
The State of West Bengal & Ors.**

Ms. Pampa Dey (Dhabal),
Ms. Sangita Banerjee

....for the Petitioners

Mr. Moloy Roy,
Mr. Atarul Hoque Molla

....for the State

Mr. Raghunath Chakraborty,
Mr. Saikat Thakurata

....for the Maheshtala Municipality

Mr. Sourav Mondal,
Mr. Juran Ali Molla,
Mr. Arijit Bhuiya,
Mr. Rony Mondal,
Ms. Sudeshna Mukherjee

....for the Respondent Nos.7 to 9

Mr. Supratick Syanal,
Ms. Minakshi Majumdar

....for the Respondent Nos.10 to 11

1. The present writ petition has been filed, inter alia, praying for a direction upon Maheshtala Municipality, not to give water connection to the respondent nos.7 to 11, in violation of the order passed by the Civil Judge (Junior Division), 6th Court, Alipore, South 24 Parganas in Title Suit No.1908 of 2025 over the land of the petitioners being L.R. Dag No.1117, L.R.

Khatian No.2744, Mouza-Doulatpur, Pargana-Balia, Touzi-1521, J.L No.19 under Police Station Maheshtala, District – South 24 Parganas.

2. According to the petitioners, the petitioners' land cannot be utilized by the Municipality for providing of water connection to the respondent nos.7 to 11, who are the adjacent plot owners.
3. In support of the case, the petitioners have relied on the record of rights as also revenue receipt issued by the Maheshtala Municipality and title deed.
4. The Maheshtala Municipality as also the respondent nos.7 to 11 are represented.
5. The private respondents would submit that they are enjoying electricity and such supply is effected through a common passage. It is through the aforesaid area the supply of water connection can be made. The petitioners possibly cannot have any objection to the same.
6. Mr. Chakraborty learned advocate appears for the Maheshtala Municipality. He would submit that the point for supply of water connection has been identified to be made through a portion of the land, which is classified as "Doba". The Municipality, in ordinary course, is obliged to supply water connection and accordingly has taken steps to provide water connection to the respondent nos.7 to 11.
7. Having heard the learned advocates for the respective parties and noting that the petitioners, in the instant

case, have been able to demonstrate that the petitioners are the owners in respect of the plot of land noted herein above, I am of the view ordinarily without the permission of the petitioners, the petitioners' land cannot be utilized by the Municipality for providing water connection, though the Municipality is under an obligation to provide water connection to the occupants of the aforesaid area.

8. It is for the Municipality to find out ways and means, how such supply can be effected. I find from the submission made by the parties, it is not the case of the respondent nos.7 to 11 that their property is landlocked or encircled by the petitioners' property.
9. Having regard thereto, I am of the view that the Municipality may proceed to supply water connection to the respondent nos.7 to 11 by effecting such supply from any other part of this land which does not interfere with the petitioners' property, in accordance with law.
10. The writ petition being WPA 615 of 2026 stands disposed accordingly.
11. Urgent photostat certified copy of this order, if applied for, be given to the parties upon compliance of all necessary formalities.

(Raja Basu Chowdhury, J.)