

M/L 4
20.04.2026
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Ct.3.

IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION
APPELLATE SIDE

WPA 18481 of 2025

Mst. Moni Begam & Anr.
Versus
The State of West Bengal & Ors.

Mr. Sunny Nandy
Mr. Akash Dutta
Mr. Manish Biswas
Mr. Ranjan Roy
... For the petitioners.

Mr. Asish Kumar Guha
Mr. Rajendra Chaturvedi
... For the State.

1. Affidavit of service filed in Court is taken on record.
2. Despite service, the municipality and the private respondent are not represented.
3. The petitioners are aggrieved by the failure on the part of the municipality to take steps on the basis of the petitioners' representation dated 21st April, 2025, so as to instruct one of the flat owners, who is residing on the 3rd floor to repair the sewerage line so that the petitioners' life and property is protected.
4. Learned advocate representing the petitioners by drawing attention of this Court to the photographs annexed to the writ petition would submit that the ceiling of the petitioners' especially the wash room and the bed room, have been affected. According to him, the sewerage

water is seeping through the ceiling which is affecting the life and property of the petitioners. He submits in terms of the provisions of Section 349 of the West Bengal Municipal Act, 1993, a duty is cast on the municipal authorities to ensure that the sewerage lines in a building or a locality or a land is maintained appropriately. According to him, notwithstanding receipt of the representation, the municipality has failed to act, hence the writ petition.

5. Having heard the learned advocates representing the petitioners and the State and noting that the aforesaid leakage of water may cause serious health hazard, I am of the view that the municipality should take immediate steps in the matter and decide on the petitioners' representation by carrying out an inspection of the premises in question and if the municipality on inspection finds that the sewerage water is seeping through the petitioners' ceiling, appropriate remedial measure should be proposed and enforced by the municipality at the earliest.

6. The entire process in this regard must be completed within a period of six weeks from the date of communication of this order.

7. The petitioner is directed to communicate this order to the non-appearing respondents.

8. With the above observations and directions, the writ petition stands disposed of.

Urgent photostat certified copy of this order, if applied for be given to the parties upon compliance with the requisite formalities.

(Raja Basu Chowdhury, J.)