

D/L- 17
25/02/2026
Ct. No.-19
Aritra

WPA 26102 of 2025

**Smt. Annapurna Majumder & Anr.
Vs.
The State of West Bengal & Ors.**

Mr. Sandip Ghosh
Mr. Partha Sarkar
Ms. Joyashree Dari

....for the petitioners

Mr. Lalit Mohan Mahata, AGP
Mr. Rudranil De

....for the State

Mr. Dilip Kumar Maity
Ms. Maitryee Maity

....for the respondent No.6

The petitioners claim to be the owner of Plot Nos.778 and 779 within Mouza-Nabagram under Police Station-Jamalpur in the District of Purba Burdwan.

The petitioners state that the private respondent No.6 is the owner of Plot No.788 within the said mouza and the private respondent No.6 illegally constructed a dwelling house in Plot No.780 instead of Plot No.788 and the owner of Plot No.788 filed a title suit against the private respondent, which is pending for adjudication. Alleging that the private respondent No.6 tried to take electricity line through the plot of land of the petitioner being Plot No.779, the petitioner filed a Title Suit No.124 of 2011 before the learned Civil Judge (Jr. Div.), 2nd Court at Purba Burdwan, praying for a decree for permanent injunction restraining the private respondent from

obtaining electric connection by overhead wires and/or underground electric wires over the 'Ga' schedule property of the said title suit.

The learned advocate appearing for the petitioners submits that the civil court has passed an order of *status quo* which is still subsisting. He submits that underground water pipeline underneath the property of the petitioner has been drawn by the Assistant Engineer, Rural Water Supply, Public Health Engineering Department, being the respondent No.2, for the purpose of giving supply of water to the respondent No.6. He further submits that though there is an alternative passage, the respondent authorities have drawn the water pipeline through the property of the petitioner in spite of objection raised by the petitioners.

The learned advocate appearing for the respondent No.6 submits that there is no alternative route other than the route through which the water pipeline has been laid by the respondent authorities.

Mr. Mahata, learned Additional Government Pleader submits that through inadvertence certain facts were not correctly recorded in the statement of facts dated February 27, 2024, which was filed in connection with an earlier writ petition being WPA 3736 of 2024. He further submits that as supply of potable drinking water is mandatory to inhabitants, the pipeline has been drawn by the respondent authorities.

Since the petitioners state that there is an alternative route through which the pipeline could be laid for effecting the supply of water to the private respondent, this Court gives liberty to the petitioners to file a comprehensive representation along with a sketch map before the respondent No.2 indicating specifically therein the alternative route through which the water supply pipeline can be drawn for effecting supply of water to the private respondent. The alternative route should be indicated by way of a sketch map specifically mentioning the plot numbers through which the pipeline can be laid. Upon receipt of such representation, the Assistant Engineer, Rural Water Supply, Public Health Engineering Department, being the respondent No.2, shall consider the said representation after supplying a copy of the said representation along with sketch map to the private respondent and after affording an opportunity of hearing to the petitioner, the private respondent and any other person, who may be affected by the decision on the said issue.

Since the issue relates to supply of drinking water and the pipeline has already been laid, this Court is not inclined to interfere at this stage.

It will be also open to the petitioners to take appropriate steps before the Civil Court where the title suit is pending, in case the petitioners allege that there has been any violation of an order of *status quo*.

With the above observation, WPA 26102 of 2025 stands disposed of.

If a comprehensive representation is submitted by the petitioners pursuant to this order, the authorities shall consider the same without being swayed by the observation recorded in the order dated July 9, 2025 as well as observations made in this order.

There will be no order as to costs.

All parties shall act on the server copy of this order duly downloaded from the official website of this Court.

(Hiranmay Bhattacharyya, J.)