

08.05.2026  
Item No.8  
Court No.37  
CHC

## **In The High Court at Calcutta**

Special Civil Jurisdiction

Appellate Side

**CPAN 1040 of 2019**

**Kanu Hari Ghosh & Ors.**

**Vs.**

**Apurba Kumar Sarkar & Anr.**

**in**

**WPA 13819 of 2018**

Mr. Partha Pratim Roy, Advocate  
Mr. Sarbananda Sanyal, Advocate  
Mr. Samrat Chakraborty, Advocate  
...for the petitioners

Mr. Pratip Kr. Chatterjee, Senior Advocate  
Mr. Mihir Kundu, Advocate  
Mr. Asish Deb, Advocate  
Ms. Maitrayee Chatterjee, Advocate  
...for the contemnors

1. Petitioners complain of violation of order dated November 13, 2018 passed in the writ petition.
2. By such order, Court directed the respondent to take appropriate measures to ensure that polluted water do not inter into the water body.
3. Learned Senior Advocate for the alleged contemnors submits that, Municipality asked the public work department to take appropriate steps. He submits that, Municipality is yet to take such steps.
4. In response to a query of the Court, he submits that, the road concerned, falls within the jurisdiction of the Municipality.
5. It is the responsibility of the Municipality to construct drain. It is also the responsibility of the Municipality who was the party to the writ petition to ensure that,

polluted water do not enter into the water body. There is a water body located at Dag No.1897, Mouza-Kandi, District- Murshidabad. There is a report by the Municipality which admits that, existence of the water body and the possibility of the polluted water body entering into such water body. Protection and preservation of the water body is essential in the context of environment.

6. Consequently, Municipality will proceed to ensure that, no polluted water enters into the water body in terms of the order dated November 13, 2018.
7. List the contempt petition in the **Combined Monthly List of June, 2026** when the report be submitted by the alleged contemnors.

**(Debangsu Basak, J.)**