

Court No. 24

12.04.2021

(Item No. 24)

(AB)

W.P.A 598 of 2020

Ram Niwas Yadav

vs

The State of West Bengal & Ors.

Mr. Ddebductta Basu

..... for the petitioner

Mr. Soumyojit Bhatta

Mr. Bikash Ch. Chattopadhyay

..... for Panihati Municipality

Pursuant to the earlier direction of the Court, the Executive Officer and the Sanitary Inspector of the Panihati Municipality has filed a report before this Court, wherein it has been mentioned that the dustbin/vat is more or less 30 years old and it is being used by the residents of the area in question. The vat is 15 ft. long, lying in the road side and the same is cleared at regular intervals. It has also been mentioned that there is no alternative place for shifting the said dustbin/vat.

The learned advocate appearing on behalf of the petitioner submits that the vat in question is not being cleaned on regular basis. Even if the same is cleaned, the garbage is being thrown by the local residents in such a manner that the entire road and especially the ingress and egress of the petitioner's premises gets completely blocked.

It is the duty and responsibility of the Municipality to clean the dustbin at regular intervals. The Municipality ought to ensure that the garbage

and the filth of the dustbin are not strewn around. The same will give rise to an unhygienic and unhealthy atmosphere and cause injury to the public health.

The Municipality may find out alternative measures by which the vat and the dustbin can be properly cleaned and maintained so that it does not cause any problem or becomes a nuisance to the members of the locality. The Municipality may explore the idea of keeping the removable closed dustbin and clean the same on regular basis to ensure that garbage and filth is not accumulated in the area in question.

With the aforesaid observations, the writ petition stands disposed of.

The status report filed by the Municipality is retained with the records.

Urgent photostat certified copy of this order, if applied for, be supplied to the parties upon completion of usual legal formalities.

(Amrita Sinha, J.)