

28.07.2021
Item no.4

Aloke
Ct. no.8

Through Video Conference

W.P.A. 11241 of 2021

**Raihan Mondal
Versus
The State of West Bengal & Ors.**

Mr. Uday Sankar Chattopadhyay, Advocate
Mr. Santanu Maji, Advocate
Ms. Snigdha Saha, Advocate
Mr. Pronay Basak, Advocate
Mr. Subhayan Das, Advocate
... for the petitioner
Mr. Samrat Sen, Senior Advocate
... for the State

Petitioner complains of police inaction.

Learned Advocate appearing for the petitioner submits that despite orders passed by the Pollution Control Board shutting out the poultry farm, the private respondent is continuing of such business. Police are inactive.

Learned Assistant Additional Advocate General submits on instructions that the police enquired into the complaint of the petitioner and did not find any poultry farm existing at the locale. What the police found was an abandoned poultry farm with no poultry therein.

Learned Advocate appearing for the petitioner submits that there is a poultry farm at the place.

The petition as it stands today does not contain any evidence substantiating there exists a poultry farm at the locale. In absence of such evidence on record, the Court is

constrained to accept the version of the State to the extent that on enquiry the State did not find any poultry farm business being carried on at the locale.

This order will not prevent the petitioner to approach the appropriate forum in the event the private respondents is flouting the orders of the Pollution Control Board or there is a poultry farm running at the locale.

W.P.A 11241 of 2021 is disposed of accordingly.

Urgent Photostat Certified copy of this order, if applied for, be supplied expeditiously after complying with all legal formalities.

(Debangsu Basak, J.)