

November 23, 2021
Item No. 13
Court No.1
SG/s.biswas

WPA (P) 302 of 2021
Chandni Children K. G. School
vs.
The State of West Bengal and others
(Through Video Conference)

Mr. Younas Mondal, Mr. Prosenjit Roy, Advocates	... for the petitioner
Mr. Tapan Kumar Mukherjee, Senior Advocate Mr. Rajat Dutta, Advocate	... for the State

The grievance raised by the petitioner school in the present petition is that the respondent No.6 has set up a meat shop-cum-poultry business in front of the school taking advantage of the COVID-19 pandemic and such a meat shop business in front of the school is having bad effect on the children and is effecting the environment.

Submission of learned counsel for the petitioner is that though the representation in this regard has been made to the different competent authorities but no action has been taken till now.

Learned counsel for the State has pointed out that the District Magistrate is the competent authority to look into such matter.

Hence, we dispose of the present petition granting liberty to the petitioner to file an appropriate representation before the concerned District Magistrate along with all the supporting materials. If such a representation is filed by the petitioner, the concerned District Magistrate will give opportunity of hearing to the

petitioner and also to the respondent No.6 or any other interested party and pass a reasoned speaking order in accordance with law. If the District Magistrate comes to the conclusion that the meat shop business is running illegally then he will take appropriate steps as permissible in law.

Let this exercise be completed by the District Magistrate within a period of 3 months from the date of receipt of the representation.

The present petition is accordingly disposed of.

[Prakash Shrivastava, C.J.]

[Rajarshi Bharadwaj, J.]