

6th January,
2021
(AK)
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W.P.A 8184 of 2020

Sukrit Poddar
Vs.
West Bengal Pollution Control Board & Ors.

Mr. Soumya Majumdar
Mr. Soumen Das

...For the Petitioner.

Affidavit-of-Service filed in court today be kept on record.

The petitioner raises a grievance as regards the petitioner's electric connection and running of business being stopped on the complaint of the landlord/private respondent at the behest of the West Bengal Pollution Control Board.

However, it is submitted that the petitioner has subsequently rectified such defects and electric connection has been restored, but the petitioner is still unable to run his business due to the previous order of closure of the Pollution Control Board.

Learned counsel for the respondent authorities submits that electric connection has already been restored and the primary prayer in the writ petition being such restoration, the writ petition stands infructuous.

However, it is evident from the prayer portion of the writ petition that the petitioner's claims are not restricted to restoration of electric connection but also to allow the

petitioner to run the restaurant and cafeteria at the locale.

In such view of the matter, W.P.A. 8184 of 2020 is disposed of by granting the liberty petitioner to approach the respondent authorities afresh with a request to permit the petitioner to resume his business.

If such an approach is made, the respondent authorities shall consider at the earliest, whether the petitioner has rectified the previous defects pointed out by the Pollution Control Board and, upon satisfaction in that regard, grant such permission in the event of due compliance by the petitioner of the laws governing the field.

The respondent authorities shall fix an early date for hearing the petitioner for the said purpose and notify such date to the petitioner as expeditiously as possible, positively within a fortnight from date.

There will be no order as to costs.

Urgent photostat copies of this order, if applied for, be given to the parties upon compliance of all requisite formalities.

(Sabyasachi Bhattacharyya, J.)