

08/07/2021
Item No.98, 99
Court No.8.
AB

Through Video Conference

**W. P. A. 10903 of 2020
With
W. P. A. 7875 of 2021**

Dr. Tapas Kumar Ghosh

Vs

The State of West Bengal & Others

With

Smt. Bijali Ghosh

Vs

The State of West Bengal & Others

Mr. P. Bhattacharya, Sr. Adv,
Ms. Manali Biswas ...for the Petitioner in
WPA 7875 of 2021 /Respdt
No.11 in WPA 10903 of 20.

Mr. Sarwar Jahan,
Mr. Anisur Rahaman ...for the Petitioner in
WPA 10903 of 2020 /
Respdt No.8 in WPA 7875 of 21.

Mr. Samrat Sen, Sr. Adv,
Ms. Sutapa Sanyal ...for the State in WPA
10903 of 2020.

Mr. Manas Kr. Kundu,
Mr. S. Chakraborty ...for the State in WPA
7875 of 2021.

Two writ petitions are taken up together for
hearing as they involve similar issues.

In WPA No.10903 of 2020, the petitioner alleges
that the private respondent is running a nursing home

without requisite fire licence and clearance from the Pollution Control Board.

The State is represented.

It appears from the record that a representation dated 24.11.2020 was made by the petitioner in WPA No.10903 of 2020, which is yet to be disposed of.

In such circumstances, it would be appropriate to direct the respondent no.5 to consider and decide the representation in accordance with law. The respondent no.5 will afford a reasonable opportunity of hearing to the writ petitioner of WPA No.10903 of 2020 as also the private respondents therein. The respondent no.4 is at liberty to hear such other parties as he deems necessary. He will pass a reasoned order which he will communicate to the petitioner and the private respondents forthwith thereafter. It is expected that he completes the entire exercise within four weeks from the date of communication of this order.

In WPA 7875 of 2021, the petitioner complains that an application for grant of fire licence is yet to be considered and decided.

The State is represented.

Since grant of fire licence is involved, it would be appropriate to request the respondent no.4 to consider and decide the application of the writ petitioner in WPA 7875 of 2021 in accordance with law. The respondent no.4 will afford a reasonable opportunity of

hearing to the writ petitioner of WPA 7875 of 2021. He will also offer a reasonable opportunity of hearing to the private respondents therein. He will pass a reasoned order and is at liberty to hear such other parties as he deems necessary. He will communicate his order to the writ petitioner and the private respondents forthwith thereafter. It is expected that the respondent no.4 completes the entire exercise within a period of four weeks from the date of communication of this order.

W.P.A. No.10903 of 2020 and W.P.A. No.7875 of 2021 are disposed of, accordingly.

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

(Debangsu Basak, J.)