

**09.06.2022**

Court No.32  
rpan/09

**FMA 1118 of 2018**

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IA No.: CAN 1 of 2017 (Old No.: CAN 4841 of 2017) [Not found]

**Ashoke Kumar Barman & Another**

**- Versus -**

**The State of West Bengal & Others**

Mr. Golam Mostafa

... for the Appellants.

The present appeal has been preferred challenging an order dated 23<sup>rd</sup> March, 2017 passed in W. P. No. 2482 (W) of 2017.

Mr. Mostafa, learned advocate appearing for the appellants/writ petitioners submits that a brick field is being run by the private respondents adjacent to the appellants' house. The said brick field is being operated without obtaining necessary permission from the competent authorities and is causing sound and air pollution. Such illegal operation of the brick field ought to have been interfered with in the writ petition.

It appears from the order impugned in the present appeal that the Pollution Control Board inspected the brick field and submitted a report stating that the brick field had not violated any Pollution Control Board's norms. A report was also filed by the State respondents. Considering the said reports, the learned Court did not grant the relief, as prayed, for by the writ petitioners.

We do not find any infirmity in the said order and as such, no interference is called for in the present appeal.

Accordingly, the appeal, being FMA 1118 of 2018 and the connected application, being IA No.: CAN 1 of 2017 (Old No.: CAN 4841 of 2017) are dismissed.

There shall, however, be no order as to costs.

Urgent photostat certified copy of this order, if applied for, be supplied to the parties, upon compliance of all requisite formalities.

(Raja Basu Chowdhury, J.) (Tapabrata Chakraborty, J.)