

07.07. 2022
item No.20
n.b.
ct. no. 34

CRR 1397 of 2009

Dinabandhu Gain
Vs.
The State of West Bengal & Anr.

Mr. Aniket Mitra
.... For the petitioner.

None appears on behalf of the opposite parties.

The subject matter of the revisional application relates to proceeding under Section 133 of the Code of Criminal Procedure wherein by an order dated 12.2.2009, the Learned Sub-Divisional Magistrate(Executive) Basirhat in M.P. Case No.2542 of 2008 was pleased to hold that welding created noise pollution and public nuisance and as such it should be stopped. I find no illegality in the said order, which has been passed. However, to carry on the concerned commercial venture, the petitioner would be at liberty to approach the West Bengal Pollution Control Board and if such permission is granted, the petitioner would be in a position to carry out the operations.

With aforesaid observations, CRR 1397 of 2009 is disposed of.

All pending connected applications, if any, are consequently disposed of.

All parties shall act on the server copy of this order duly downloaded from the official website of this Court.

(Tirthankar Ghosh, J.)