

January 11, 2022
Sl. No.23
Court No.1
SG/s.biswas

WPA 13974 of 2018

Abul Kalam Sheikh and others
vs.
The State of West Bengal and others
(Through Video Conference)

Mr. Anirban Ray, Id. Govt. Pleader
Mr. Md. T. M. Siddiqui,
Mr. Nilotpall Chatterjee, Advocates

... for the State

No one is present for the petitioners. The writ petition is pending since 2018.

Record perused.

The grievance raised by the petitioners is that a new brick manufacturing unit is being set up by the private respondents under Bali Mouza, J.L. No.26, Plot Nos. 1857,1838, 1853, 1854 1877, 1878, 1849, 1848 and 1859 surrounded by Bali Palpara, Silpara village.

The allegation is that the brick manufacturing unit is being set up near the agricultural field affecting cultivation and it has been set up without any permission from the competent authorities and the Pollution Control Board.

Record reflects that the petitioners have already filed representation dated 27.08.2018 before the respondent No.3.

Having regard to the allegation made in the petition, we are of the opinion that representation filed by the petitioners needs to be considered by respondent No.3.

Hence we dispose of the petition with a direction to respondent No.3 to duly consider the petitioners' representation dated 27.08.2018 after due opportunity to the concerned affected parties and take an appropriate decision thereupon as expeditiously as possible.

Learned counsel for the State is directed to send a copy of this order along with a copy of the representation to the respondent No.3. He is permitted to obtain a copy of the petition along with enclosures from the department at his own cost.

The present petition is accordingly disposed of.

Urgent photostat certified copy of this order, if applied for, be supplied to the parties on usual undertaking.

[Prakash Shrivastava, C.J.]

[Rajarshi Bharadwaj, J.]