

WPA(P) 569 of 2022

**Sk. Kouser Ali
Vs.
The State of West Bengal & Ors.**

Mr. Keshab Chandra Das
Ms. Aparajita Mondal
Mr. Biplab Adak

... ... for the petitioner

Mr. T.M. Siddiqui
Mr. Nilotpal Chatterjee
Mr. Ratul Das

... ... for the State

Mr. Arjun Ray Mukherjee
Ms. Debapriya Mitra
Mr. Joyjeev Medhi

... ... for the WBPCB

Mr. Gautam Banerjee

... ... for the respondent no.10

The allegation in this public interest petition is that the private respondent no.10 has constructed poultry firm in the land under Mouza-Paschim Gopinathpur at Dhaniakhali Police Station, District – Hooghly without complying with the necessary guidelines and requirements issued under the Pollution Control Board Act.

During the course of argument learned counsel for the petitioner has pointed out that a complaint was made by the petitioner to the respondent no.3, West Bengal Pollution Control Board and that Senior Scientist and In-charge, Public Grievance Cell had forwarded the matter vide communication dated 31st January, 2022 to the respondent no.7, Block Development Officer, Dhaniakhali with a direction to take necessary action in respect of compliance of the guidelines. It is pointed out that in

spite of such direction no action has been taken till now. The record reveals that the issue is now pending before the respondent no.7.

At this stage we deem it proper to direct the respondent no.7 to take appropriate action in accordance with law on the communication dated 31st January, 2022 received by him.

While taking action on the communication it will be open to the respondent no.7 to conduct an enquiry after giving an opportunity of hearing of all the concerned parties, if required, in accordance with law.

Let this exercise be completed within a period of two months from the date of receipt of a copy of this order.

Petition is accordingly disposed of.

(Prakash Shrivastava, C.J.)

(Rajarshi Bharadwaj, J.)