

November 25, 2022
Sl. No. 5
Court No.1
s.biswas

WPA (P) 571 of 2022

Shinur Hak Sekh

vs.

The State of West Bengal and others

Mr. Tapas Bhattacharya,
Mr. Md. K. Basar Bulbul,
Mr. Kamal Zahiruzzaman,
Mr. Mustaba Ali, Advocates

... for the petitioner

Mr. Jahar Lal De,
Mr. Supratim Dhar, Advocates

... for the State

Mr. Uday Shankar Bhattacharyya,
Mr. Dilip Kumar Mandal,
Mr. Mrityunjay Saha, Advocates

... for the respondent No.15

Ms. Joyee Maiti, Advocate

... for the W.B. Pollution Control Board

The affidavit of service filed by the petitioner is taken on record.

The allegation of the petitioner in this public interest petition is that the private respondents are running illegal commercial manufacturing units, which are discharging liquid effluent and air emissions in violation of pollution norms and causing hazards to the local people.

It has been submitted by learned counsel for the private respondents that the present petition is a counter-blast to the direction of this Court dated 19.09.2022 in WPA (P) No.463 of 2022 whereby in almost similar issues, this Court had directed to the respondent No.6 therein to decide the representation.

Learned counsel for the State has produced the report disclosing that the petitioner and private respondents have indulged in prolonged civil dispute

and both the parties are involved in operating separate industrial manufacturing units in the area concerned.

Since at the instance of one of the parties we have already directed for consideration of the representation by the District Magistrate in WPA (P) No.463 of 2022 and in the present case also the detailed representation dated 29.09.2022 has already been made to the respondent No.7 (District Magistrate, Hooghly), which is pending and it has been pointed out by the learned counsel for the State that there is no objection in deciding the said representation, therefore we dispose of the present petition also with direction to the respondent No.7 to duly consider the petitioner's representation dated 29.09.2022 and take a decision in accordance with law after giving an opportunity of hearing to the petitioner and the private respondents herein and to all other concerned parties.

Let the above exercise be completed within a period of 3 months from the date receipt of a copy of this order.

Petitioner is permitted to furnish a fresh copy of the representation along with certified copy of this order before the respondent No.7.

The present petition and the application if any filed in the matter are disposed of accordingly.

(Prakash Shrivastava, C.J.)

(Rajarshi Bharadwaj, J.)