

27.02.2023
Court No.13
Item No.8
AP

WPA 3286 of 2022

**Mustaque Ahmed
Vs.
The Officer-in-Charge, Karaya Police Station and Ors.**

Mr. Avinash Kumar Verma

... For the petitioner.

Supplementary affidavit filed by the petitioner is taken on record.

The petitioner is aggrieved by the fact that the private respondents are washing cars and bikes and are causing pollution and nuisance adjacent to premises No.2B, Radha Gobinda Saha Lane, Kolkata – 700017.

The private respondent Nos.4 and 5 were found in violation of the KMC laws as regards pedestrian movement and Karaya Police Station Case No.55 dated 1st March, 2022 was registered under Section 283 of the IPC. The respondent No.4 was arrested.

On 13th February, 2023 the Karaya police found that the private respondents were once again washing vehicles after keeping drums on the footpath. On being confronted, the private respondents could not produce any consent to operate or permission from the West Bengal Pollution Control Board or from the KMC. Karaya Police Station Case No.33 dated 13th February, 2023 was registered under Section 283 of the IPC against the respondent No.4.

It is submitted by the police that the private respondents have stopped their activities at the said premises.

The private respondents have also filed proceedings being C.O. No.405 of 2022, which is now pending before this Court.

In that view of the matter, Karaya Police Station shall ensure that the private respondents do not obstruct the pedestrian movement or conduct any activities without appropriate permission from the KMC or from the Pollution Control Board. Karaya Police shall maintain strict vigil on the said premises.

With the aforesaid directions, the writ petition shall stand disposed of.

There shall be no order as to costs.

The report of the Officer-in-Charge, Karaya Police Station dated 27th February, 2023 is taken on record.

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

(Rajasekhar Mantha, J.)