

27.02.2023.
Court No.13
Item No. 530
ap

W.P.A. No. 4328 of 2021
Partha Sengupta
Versus
The State of West Bengal & Ors.

Mr. Amitabha Ghosh.

...For the petitioner.

The petitioner complains that the private respondents are storing colour and painting materials in their flats in a purely residential complex. The petitioner claims that he is a cancer patient.

Uttarpara Police Station has filed a report dated 21st February, 2023. The same is taken on record.

It appears from the said report that there is a long standing dispute between the petitioner and the private respondents with regard to a residential complex which comprised of several flats.

The petitioner's complaint against the private respondents was enquired into. The private respondent no.5 has an almirah repairing shop in his residence. There are old almirahs in the common passage to the shop room of the private respondent no.5. There is, however, no obstruction to the common area otherwise. There are no four wheelers found blocking any residence.

In the above circumstances, this Court is of the view that the dispute between the petitioner and the private respondents is otherwise civil in nature.

However, Inspector-in-charge, Uttara Para Police Station shall ensure that any business being carried on by the private respondent no.5 is with appropriate permission of all the local authorities including the Pollution Control Board since the paints and other chemicals are stored inside the said residential flat.

With the aforesaid observations, the instant writ petition shall stand disposed of.

There will be no order as to costs.

All parties are directed to act on a server copy of this order duly downloaded from the official website of this Court.

(Rajasekhar Mantha, J.)