

04.04.2023
Court No.13
Item No.18
AP

WPA 4200 of 2023

**M/S. Soma Enterprise and Anr.
Vs.
The State of West Bengal and Ors.**

Mr. Sandip Ray
Mr. Swakshar Kumar Mondal
Ms. Reshmi Khatun

... For the Petitioners.

Mr. Santanu Kumar Mitra
Ms. Anandamayi Ghosh

... For the State.

Mr. Arjun Ray Mukherjee

... For the Respondent Nos.2 to 4.

Mr. Jaydip Basu
Mr. Sugata Mukhopadhyay

... For the Respondent Nos. 10 to 12.

The petitioners complain of over-action and interference of the Santragachi Police Station into their business activity.

Learned counsel for the State has produced a report in the form of instructions dated 29th March, 2023 issued by the Officer-in-Charge, Santragachi Police Station, Howrah City Police and the same is taken on record.

It appears from the report that on the complaint of the private respondent FIR was registered and investigation was completed and charge sheet being Santragachi Police Station Charge Sheet No.13 of 2021 dated 28th February, 2021 under Sections 341, 323, 325, 506, 34 of the IPC has been filed.

It further appears that the West Bengal Pollution Control Board has passed an order on 24th November, 2022 inter alia directing the Commissioner of Howrah Municipal Corporation and the Santragachi Police Station to ensure that the petitioners' unit do not carry out any grill manufacturing activity at the present location. Police say that their inspection has revealed that the petitioners are carrying grill manufacturing.

This Court cannot enter into the disputed questions of fact. The petitioner may seek appropriate remedies against the order of the West Bengal Pollution Control Board. Santragachi Police shall strictly comply with any orders that may be passed by any statutory authority in accordance with law.

With the aforesaid directions, the writ petition is disposed of.

There shall be no order as to costs.

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

(Rajasekhar Mantha, J.)