

06.06.2023.
Court No.13
Item No. 23
pk

W.P.A. No. 4873 of 2023
Gopeswar Roy @ Gopeswar Chakraborty and
another
Versus
The State of West Bengal & Ors.

Mr. Sukanta Chakraborty,
Ms. Sreyashee Biswas,
Mr. Anindya Halder,
Ms. Puja Goswami.

...For the petitioners.

Mr. Santanu Mitra,
Ms. Rama Halder

...For the State.

Mr. Bhaskar Prasad Banerjee,
Mr. Parashar Baidya

... For the respondent no. 9.

Mr. Arjun Ray Mukherjee

... For the Pollution Control Board.

1. The matter is entertained by this Court since inaction of the Beliaghata Police Station is alleged, in failing to comply with the order dated 30th August, 2022 passed by the West Bengal Pollution Control Board.

2. The petitioners complain that the manufacturing unit of the private respondents is causing a huge amount of noise pollution. The petitioner no. 1 is a senior citizen. He is constantly being harassed and disturbed.

3. The parties had approached the West Bengal Pollution Control Board where the order dated 30.08.2022 was passed.

4. The Police was directed to ensure that the respondents conduct manufacturing activity only between 9 a.m. and 6 p.m. and without causing any nuisance and install adequate noise control insulation panels.

5. Counsel for the private respondents submits that they have complied with all the norms of the West Bengal Pollution Control Board.

6. The petitioners continue to, however, complain that the private respondents are causing a huge amount of noise pollution and are conducting the manufacturing activities beyond 6 p.m.

7. These are disputed questions of facts.

8. The West Bengal Pollution Control Board is represented.

9. This Court directs the West Bengal Pollution Control Board to conduct a further inspection of the area and the manufacturing unit of the private respondents, M/s. Eastern Calcutta Engineering Works. The inspection may be done without any prior notice to any of the parties.

10. The West Bengal Pollution Control Board may take steps thereafter in accordance with law. Any direction of the West Bengal Pollution Control Board on the Beliaghata Police Station shall be strictly complied with and enforced.

11. Report of Beliaghata Police Station is kept with the record.

12. The writ petition is disposed of.
13. There will be no order as to costs.
14. 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.)