

03.10.2023

Item No.3

Ct. No.1

PG/KS

W.P.A.(P) 418 of 2023

Badsha Rahaman Sk.

Vs.

The State of West Bengal & Ors.

Mr. Ibrahim Shaikh

Ms. Benazir Shaikh

.....for the petitioner

Mr. N. C. Bihani

Mrs. P. B. Bihani

.....for the West Bengal Pollution Control Board

1. The petitioner, by this writ petition, filed as a public interest litigation alleges that the private respondent nos.9 and 10 are illegally running a brick field without obtaining requisite permission.
2. The learned advocate appearing for the petitioner submitted that the petitioner would be satisfied if the representation given by the petitioner is being disposed of by the appropriate authority of the West Bengal Pollution Control Board.
3. The writ petition is disposed of by directing the 3rd respondent to consider the representation given by the petitioner on 28th February, 2023 as well as the earlier representation. An inspection be conducted in the area and the 3rd respondent shall take appropriate action in accordance with

law. In the event, it is found that the private respondent nos.9 and 10 are illegally operating brick field or any other third parties is also carrying on such illegal operation, in order to facilitate the compliance of this order, the 3rd respondent shall take appropriate actions in accordance with law. The entire exercise shall be completed within a period of four weeks from the date of receipt of server copy of this order.

4. The petitioner is directed to forward copies of the representations given to the 3rd respondent along with a copy of this order.
5. It is made clear that we have not gone into the merits of the allegations made by the petitioner in the writ petition and all points are left open to be decided by the 3rd respondent.
6. No costs.
7. Urgent photostat certified copy of this order, if applied for, be furnished to the parties expeditiously upon compliance of all legal formalities.

(T. S. SIVAGNANAM)
CHIEF JUSTICE

(HIRANMAY BHATTACHARYYA, J.)