

01.05.2023
Item No.7
gd/ssd

WPA(P)/183/2023
SATYARANJAN SASMAL AND ORS.
VS
THE STATE OF WEST BENGAL AND ORS.

Mr. Dilip Kumar Maiti
..for the Petitioners.

Mr. Nilotpal Chatterjee,
Ms. Amrita Panja Moulick
..for the State.

Mr. Arjun Ray Mukherjee,
Mr. D. Mitra
..for the Respondent No.3.

Mr. Bharat Ch. Simai,
Ms. Sanchayita Das
..for the Private Respondents.

1. By this public interest litigation the petitioners seek for direction upon authority more particularly the 7th respondent to take further action pursuant to the communication from the West Bengal Pollution Control Board dated 30th May, 2022. By the said communication the complaint regarding dust nuisance caused from loading and unloading of stone chips in the relevant area has been forwarded to the 7th respondent to take appropriate action.

2. According to the learned advocate appearing for the private respondents, the allegation is entirely false and the private respondents have possessed the necessary licence to carry on the trading activities and there is no crushing of stone involved.

3. In any event, these are all matters where factual deals have been gone into and it is best to be decided by the 7th respondent.

4. Therefore, we direct the 7th respondent to take further steps pursuant to the advice given by the West Bengal Pollution Control Board vide memo dated 30th May, 2022 after issuing notice to the private respondents and conduct an inspection of the area and thereafter pass orders on merits and in accordance with law.

5. This direction be complied with within a period of six weeks from the date of receipt of a server copy of this order.

6. With the above direction, the writ petition stands disposed of.

(T. S. SIVAGNANAM)
ACTING CHIEF JUSTICE

(HIRANMAY BHATTACHARYYA, J.)