

12 26.06.2023
 RP Ct. No. 01
 AN

WPA (P) 282 of 2023

Shikha P. Chowdhury
 Vs.
 The State of West Bengal & ors.

Mr. Bapin Baidya
 Mr. Debasis Sur
 Mr. Goutam Sardar
 Ms. Shikha P. Chowdhury
 Mr. Amijit Maity
 Mr. Gautam Malik
 Mr. Sagar Saha
 Mr. Debayan Sen
 Mr. Saurav Mitra
 Mr. Raj Sharma
 Mr. Asutosh Pathak

... For the petitioner

Mr. T. M. Siddiqui

... For the State

Mr. Arjun Ray Mukherjee

... For the respondent no. 4

1. The writ petitioner by way of this Public Interest Litigation has stated that an water body which is classified as “Doba”, as per the record of rights, has been illegally used as a garbage dumping area and in this regard, complaints were made to all the official respondents and the complaint given to the West Bengal Pollution Control Board above their response and the authority of the Board had issued a direction on 18.01.2023 to the Block Development Officer, Baruipur, Kolkata-700144. The 9th respondent to take necessary action as per the relevant Act and for cleaning and restoration of the water body into natural condition. This was followed by a representation by the petitioner through his advocate on 30.03.2023.

2. The petitioner would state that till date no action has been initiated. The complaint which was given to the Deputy Secretary, Environment Department, Government of West Bengal was forwarded by the said authority to the District Magistrate, South 24 Parganas, the 5th respondent herein for necessary action, inspite of the same, nothing appears to have happened and the photographs which have been annexed to the writ petition, portrays a sorry state of affairs.

3. Therefore, we direct the Block Development Officer, Baruipur, Kolkata-700144, the 9th respondent herein to inspect the area in question within a period of three days from the date of receipt of the server copy of this order and immediately take necessary action in this regard and an action taken report be submitted to the West Bengal Pollution Control Board as well as to the Deputy Secretary, Environment Department, Government of West Bengal. The District Magistrate, South 24 Parganas, the 5th respondent herein is directed to ensure effective compliance of this order. If third parties are involved in using the area as a dumping yard, those persons shall also be put on notice before action being taken.

4. With the above directions, the instant writ petition stands **disposed of**.

(T. S. Sivagnanam)
Chief Justice

(Ajay Kumar Gupta, J.)

