

25.07.2023
Item No.08
RP/AN
Ct. No.1

WPA (P) 362 of 2023
Mohammad Manwar & Ors.
VS.
State of West Bengal & ORS.

Mr. Rabindranath Mahata
Mr. Aritra Shankar Roy
... for Petitioners

Mr. S.N. Mookherjee, Ld. A.G.
Mr. Amal Kumar Sen
Mr. Avishek Prasad
... for State

Mr. Navnil De
Mr. Aranya Saha
Ms. Monami Mukherjee
... for respondent no.4

1. The petitioners by way of filing this public interest litigation allege that certain third parties have been dealing with illegal iron scrap. The petitioners have also mentioned the registration number of the truck, which was alleged to have been used for transportation of the illegal iron scrap.
2. Learned Advocate General appearing for the respondent/State pointed out that action has already been taken by initiating a criminal case against the accused persons. The accused persons were arrested and remanded to the judicial custody and thereafter enlarged on bail. The jurisdictional Court has issued order releasing the offending

vehicle which was carrying illegal iron scrap. The seized iron scraps are still in the custody of the police. Further, it is submitted that the godown, which was used to store the illegal iron scraps, was sealed. However, pursuant to Court order the seal has been removed.

3. The petitioners in their representation filed before the police authority have mentioned the name of certain persons, who are alleged to have been carrying on the business of illegal iron scrap on the eastern side of 12 ft. wide village road, i.e. on the western side of the road, Lohaninya Masjid has been established.
4. In the light of the above fact that in one of the cases action has already been initiated by the authorities, there will be a direction on the respondent nos.2 and 3 to conduct a surprise raid on all the vehicles transporting illegal iron scrap and also the godowns in the area so that such illegal activities are to be nipped in the bud.
5. With the above observation, this writ petition is disposed of.

(T. S. SIVAGNANAM)
CHIEF JUSTICE

(HIRANMAY BHATTACHARYYA, J.)

