

24.11.2023
Court No. 13
Item No. 12
AP

**CPAN 1306 of 2023
In
WPA 3286 of 2022**

**Mustaque Ahmed
Vs.
Mr. Swarup Kanti Pahari,
Officer-in-Charge, Karaya Police Station**

Mr. Avirup Chatterjee
Mr. Rishov Das

... For the Petitioner.

Mr. Amitesh Banerjee
Mr. Tarak Karan

... For the Alleged Contemnor.

1. Mr. Amitesh Banerjee, learned senior counsel for the alleged contemnor submits that the Pollution Control Board has indicated that there is no need for any permission from their side for operating a garage.

2. The petitioner, however, complains that there is continuous nuisance by the respondents in running a garage in a residential area where bikes are washed and repaired.

3. The petitioner may approach the concerned authorities i.e. Kolkata Municipal Corporation, for taking necessary steps regarding the orders of the Pollution Control Board in accordance with law.

4. Karaya Police shall, however, ensure that there is no nuisance or obstruction to the movement of public at large and vehicles in the vicinity. Karaya Police shall also ensure that there is no breach of peace in the area.

5. With the aforesaid observations, the contempt application shall stand disposed of.
6. Personal presence of the alleged contemnor, if any, is dispensed with.
7. Rule, if any, shall stand discharged.
8. There will be no order as to costs.
9. Interim orders, if any, shall stand vacated.
10. All parties are to act on a server copy of this order duly downloaded from the official website of this court.

(Rajasekhar Mantha, J.)