

03.01.2023.
Court No.13
Item No. 61
ap

W.P.A. No. 23966 of 2022

**Amiya Patra
Versus
The State of West Bengal & Ors.**

Mr. Abhinav Rakshit.

...For the petitioner.

Mr. T.M. Siddiqui,
Ms. Piyali Sengupta.

...For the State.

Affidavit-of-service filed in Court today be taken
on record.

The petitioner complains of inaction by the
Baranagar Police Station.

It is submitted that the respondent nos.8 to 10,
who raised addition on the third floor of the premises
of the building in question are carrying out commercial
activities in their premises. It is further submitted that
there is a foul smell, chemical in nature, emanating
from his residence.

The Pollution Control Board has conducted an
enquiry and has recorded the undertaking of the
private respondents that no commercial activity is
being carried on by them.

The Police have also conducted enquiry and
have found that there is no commercial activity in the
area.

This Court's mind is not free from doubt that the personal enmity between the petitioner and the private respondents has resulted in this frivolous writ petition.

W.P.A. No. 23966 of 2022 shall stand dismissed with costs assessed at Rs.10,000/- . Out of the said amount Rs.10,000/-, Rs.5,000/- shall be paid to Baranagar Police Station and Rs.5,000/- shall be paid to West Bengal Pollution Control Board.

All parties are directed to act on a server copy of this order duly downloaded from the official website of this Court.

(Rajasekhar Mantha, J.)