

13-03-2023
ct no. 13
sl. 375
pk

WPA 22524 of 2019

Mrinal Roy and another
-Versus-

The State of West Bengal & Ors.

Mr. Kajal Ray
...for the petitioners

Mr. Pantu Deb Roy,
Mr. Pannalal Bandyopadhyay
...for the State.

Mr. Suman Basu,
Ms. Debanwita Pramanik
... for the respondent no. 4.

Mr. Bikash Shaw
... for the respondent no. 5.

Affidavit in reply filed by the petitioner is
taken on record.

The writ petitioners are aggrieved that the
respondent no. 5/Subhra Nandy has been running a
Fast Food outlet causing a lot of pollution from the
cooking thereat. The Chandannagar Municipal
Corporation and the West Bengal Pollution Control
Board had stipulated certain norms and conditions
for running such fast food centres.

The respondent no. 5/Subhra Nandy has shut
the shop. Her nephew Anindya Nandy is now
running the business with the appropriate consent

to operate from the West Bengal Pollution Control Board and the Chandannagar Municipality.

This Court is of the view that whether or not the petitioners' fast food centre is causing any pollution, whether the chimney-in-question has been installed, and whether the communication of the West Bengal Pollution Control Board dated 13th May, 2019 has been complied with or not, is required to be ascertained.

The West Bengal Pollution Control Board shall cause necessary inspection at the shop room-in-question and submit appropriate report to the Chandannagar Municipality and the Chandannagar Police Station as regards compliance of the fast food centre-in-question.

The pollution, if any, being generated from the said fast food centre shall also be addressed appropriately by the West Bengal Pollution Control Board.

In the event, the said Anindya Nandy does not comply with any of the requisition of the West Bengal Pollution Control Board, appropriate and immediate measures shall be taken by the Chandannagar Municipality and the Chandannagar Police Station.

Anindya Nandy and the West Bengal Pollution Control Board shall be added as party respondents to the instant proceedings. Mr. Bikash Shaw, Advocate, represents Mr. Nandy.

The leaned advocate on record for the petitioners shall cause necessary amendment in the cause title.

Let copies of the order be communicated to the West Bengal Pollution Control Board and the Anindya Nandy.

The instructions of the Chandannagar Police Station dated 05.12.2022 is taken on record.

The writ petition is disposed of.

There will be no order as to costs.

All parties shall act on the server copy of this order duly downloaded from the official website of this Court.

(Rajasekhar Mantha, J.)