

20.06.2024
Item No.26
PG/KS
Ct. No.1

W.P.A.(P) 201 of 2024
Dola Sarkar
Versus
The State of West Bengal & Ors.

Mr. Phiroze Edulji
Ms. Nandini Chatterjee
Ms. Soumili Choudhury
.....for the Petitioner

Mr. Jaharlal Dey
Mr. Supratim Dhar
.....for the State

1. The prayer sought for in the writ petition was to take action on a complaint given by the petitioner on 15th April, 2024 narrating about an incident, where several cows were burnt to death and the petitioner had submitted the representation to the Inspector-in-Charge, Nagerbazar Police Station and the ultimate prayer was to register an F.I.R.
2. The written instructions given to the learned Government Pleader by the Officer-in-Charge, Nagerbazar Police Station dated 20th May, 2024 shows that the F.I.R. has been registered in F.I.R. No.236 of 2024 dated 16th April, 2024.
3. The Deputy Director, Animal Resources Development & Parishad Officer, North 24 Parganas has submitted a report dated 16th April, 2024 reporting about the action taken soon after the accident was informed to the department. Therefore, the prayer sought for in the writ petition has worked itself out.

4. The learned advocate appearing for the petitioner would submit that the cows were kept in the cowshed and their legs were tied. Apart from that, the cows are physically ill-treated. The person injects Oxytocin Hormone before milking the cows, which is banned in India. The petitioner has also named the persons, who are involved in this activity.
5. The first issue, which needs to be noted is whether the cows could have been reared in the area in question. If there is a notification banning such activity, then the establishment of the cowshed was wholly illegal. Hence, the petitioner should make further research and come forward with a further research so that the purpose for which the public interest writ petition is filed would stand served.
6. Accordingly, the writ petition is disposed of giving liberty to the petitioner to conduct further research and file a comprehensive writ petition on the self-same cause of action.
7. No costs.
8. Urgent photostat certified copy of this order, if applied for, be furnished to the parties expeditiously upon compliance of all legal formalities.

(T.S SIVAGNANAM)
CHIEF JUSTICE

(HIRANMAY BHATTACHARYYA, J.)