

Court No. 1
(266111)

WPA(P) 253 of 2024

04.07.2024

(AD 15)

(S. Banerjee/AN)

Raghunath Paira

Vs.

The State of West Bengal & Ors.

Mr. Bharat Chandra Simai

...for the petitioner

Mr. Jaharlal De

Mr. Shamim ul Bari

...for the State

Ms. Sonal Sinha

Ms. Shabnam Farooqui

...for the respondent nos. 2 to 5

Mr. Shibaji Kumar Das

Mr. Dipendu Sarkar

...for the respondent nos. 10-17

1. The petitioner cannot maintain this writ petition as a Public Interest Litigation against a closure order issued by the Pollution Control Board. The petitioner has to invoke the appropriate remedies under Water (Prevention & Control of Pollution) Act, 1974, Air (Prevention & Control of Pollution) Act, 1981 and the Environment (Protection) Act, 1986 and the rules framed thereunder.
2. Learned advocate for the petitioner submitted that in the closure order there is a reference to a direction issued in an earlier Public Interest Litigation in WPA(P) 155 of 2024. Though there was a direction, as of now the Pollution Control Board has taken action to issue closure order.
3. Therefore, the petitioner will be at liberty to challenge the order of closure before the

appropriate forum under the aforementioned statutes.

4. With the above observation, the writ petition is dismissed.

(T. S. Sivagnanam)
Chief Justice

(Hiranmay Bhattacharyya, J.)