

01.08.2024
Item No. 31
PG/RP
Ct. No.1

W.P.A. (P) 297 of 2024

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

Mr. Sandip Ghosh
Mr. Partha Sarkarfor the petitioners

Mr. Anirban Ray, Ld. GP
Mr. Tanoy Chakraborty
Mr. Debraj Sahufor the State

Mr. Tanmoy Mukherjee
Mr. Souvik Das
Mr. K.R. Ahmed
Mr. Rudranil Dasfor the respondent nos. 8 to 10

Ms. Sonal Sinha
Ms. Shabnam Farooqui.....for the respondent nos. 5 & 6

Mr. Ayan Banerjee
Ms. Debasree Dhamali.....for the Bally Municipality

1. This public interest writ petition has been filed alleging that the private respondents are operating banquet hall under name and style M/s. Riddhi Siddhi Banquet without obtaining any consent to establish and consent to operate from the West Bengal Pollution Control Board.
2. In this regard, the learned advocate for the petitioners has drawn our attention to the order passed by the West Bengal Pollution Control Board dated 2nd February, 2024, where a clear direction has been issued that the banquet hall cannot operate without obtaining consent to establish and consent to operate from the West Bengal Pollution Control Board.

3. The learned advocate appearing for the private respondents/banquet hall submitted that requisite consent has been obtained by the private respondents on 20th May, 2024.
4. If that be so, the private respondents namely, the owners i.e. the respondent nos. 8 to 10 shall appear before the 2nd respondent/the Administrator, Bally Municipality and produce the copies of the consent orders obtained, which shall be verified and thereafter the District Fire Officer, Howrah Division shall also inspect the property and ascertain the safety pictures and only after full satisfaction of all the conditions, the banquet hall can be operated.
5. The authorities shall have due regards to the circulars and notifications issued in this regard.
6. With the aforesaid directions, the writ petition is disposed of.
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.)