

IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION
APPELLATE SIDE

W.P.A. No. 23105 of 2024

Golenur Bibi
Vs.
The State of West Bengal & Ors.

Mr. Pradip Kumar Kundu,
Mr. Sk. Abdus Salam
...for the petitioner

Ms. Jhuma Chakraborty,
Ms. Arpita Mondal Adak
...for the State

Md. Sarwan Jahan,
...for the private respondents

The petitioner has filed this writ petition praying for a direction upon the respondent authorities to take steps pursuant to the written complaint lodged by the petitioner dated April 01, 2024.

After going through the said complaint dated April 01, 2024, this Court finds that the petitioner has alleged that as a result of running of the Unit by the private respondents, there is noise and environmental pollution.

This Court by an order dated October 01, 2024 directed the private respondents to produce documents in support of their claim that requisite permissions have been granted by the concerned authorities for running the said Unit. Today, the

learned Advocate for the private respondents files a bunch of documents, which is taken on record.

It appears therefrom that the West Bengal Pollution Control Board has issued a certificate for consent to establish on February 20, 2024 and the certificate for consent to operate has been issued on March 11, 2024 with the validity period with effect from March 11, 2024 till March 31, 2031. It further appears that the petitioner has obtained trade licence from the concerned gram panchayat. The private respondents have also registered the said Unit under the Ministry of Micro, Small and Medium Enterprises and UDYAM registration certificate has also been issued in favour of the private respondents' Unit.

From the documents filed by the private respondents it appears that the private respondents have been running the Unit after obtaining requisite permissions from the concerned authorities.

In the event, the conditions stipulated in the consent to operate is being violated, it will be open to the petitioner to approach the concerned respondent authorities in accordance with law.

If such an approach is made, such authorities shall take steps in accordance with law.

With the above observations and directions, this writ petition stands disposed of.

There shall, however, be no order as to costs.

Urgent photostat certified copy of this order, if applied for, be made available to the parties upon compliance of necessary formalities.

(Hiranmay Bhattacharyya, J.)