

19.12.2024
Court No.35
Sl No.57
CP

WPA No. 29245 of 2024

Sujit Kumar Karmakar
- Versus -
The State of West Bengal & Ors.

Mr. Kamalesh Jha
Ms. Nabanita Chatterjee

...for the petitioner.

Mr. Suman Ghosh
Ms. Munmun Ganguly

...for the State.

Mr. N. C. Bihani
Ms. P. B. Bihani

.....for the W.B.P.C.B.

Mr. Snehansu Majumder

....for the respondent nos. 4 & 5.

Mr. Sabyasachi Mondal
Mr. A.S. Fazlul
Mr. Soumen Pradhan
Mrs. Piya Naskar
Ms. Payel Khanra

....for the respondent no.10.

Petitioner is aggrieved by the dust of yarn and as such, he complained to the Environmental Engineer. By an order dated 09.01.2024, it was directed that no manufacturing activities be carried out without the consent of the State Board in the premises referred to in the writ petition.

State has submitted a report which reflects that on 05.02.2024, the West Bengal Pollution Control Board has given a "Consent to Operate" the unit which has

been issued by the General Manager, District Industries Centre, Nadia.

Learned advocate for the petitioner disputes regarding the nature of the permission which has been granted.

A clarification to that extent should be obtained by the petitioner himself. Until and unless the Pollution Control Board or an appropriate authority under the said Act passes a specific order, it would not be possible for the police authority to interfere with the regular day-to-day activities of the unit (M/s. Kanchan Pramanik).

The petitioner would be at liberty to approach the Pollution Control Board for appropriate orders.

For the time being, until and unless there is any specific order the police authority will only keep a vigil and ensure that no breach of peace takes place at the locale.

With the aforesaid observations, the writ petition being WPA No. 29245 of 2024 is disposed of.

The report submitted by the State be kept with the records. A copy of the report along with annexures be handed over to the learned advocate appearing for the petitioner and the necessary respondents.

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

Urgent photostat certified copy of this order, if applied for, be supplied to the parties upon compliance with all requisite formalities.

(Tirthankar Ghosh, J.)