

M/L 30  
03.03.2025  
Bpg.  
ct.no.35

**W.P.A.3848 of 2025**

**Tohid Alam**  
**Versus**  
**The State of West Bengal & Ors.**

Mr. Samreen Arif  
Mr. Rajdeep Bhattacharya.  
...for the petitioner.

Mr. Suman Sengupta  
Mr. Sambuddha Dutta.  
...for the State-respondents.

Mr. Anindya Sundar Chatterjee.  
...for the KMC.

Mr. Javed K. Sanwarwala  
Mr. Shariq A. Sanwarwala  
Ms. Sadaf Aafrin.  
...for the respondent nos.9 to 12.

Affidavit of service filed by the petitioner be kept with the record.

Petitioner is aggrieved by the fact that in spite of combustible materials available at the factory situated within the jurisdiction of Benipukur Police Station and repeatedly the same being informed to the police station concerned, no steps have been taken.

State has submitted a report wherefrom it reflects that the information in respect of the complaint made by the petitioner was forwarded to the Divisional Fire Officer as well as the Director, West Bengal Pollution Control Board but so far as the

said authorities are concerned, the said authorities did not respond to the police authorities, as such, no action could be taken by the police authorities on their own.

Since the Fire Services Authorities and the Pollution Control Board Authorities are the appropriate authorities to assess regarding the nature of the substance stored and used at the concerned factory against whom complaint has been submitted, I am of the view that the police authorities have taken steps but until and unless responses are received from the concerned authorities, it would not be possible for the police authorities to overstep and act.

Learned advocate for the respondent nos.9 to 12 is present and submits that the accusations which have been made in the writ petition and the representation to the police authorities are unfounded and the police authorities do not have any authority to act on the information, as such, the writ petition should be dismissed.

Learned advocate for the KMC is represented.

In view of the police authorities waiting for the reports from the concerned departments to act, I direct the police authorities to send reminders regarding the earlier communications made. After receipt of the reports if the police authorities are of

the view that no steps are to be taken or steps are to be taken, the police authorities would communicate the information to the petitioner preferably within a period of 15 days from the date of receipt of information from the concerned departments.

With the aforesaid observations, WPA 3848 of 2025 is disposed of.

There will be no order as to costs.

Report submitted by the State be kept with the record.

A copy of the report be handed over to the learned advocate appearing for the petitioner.

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

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

***(Tirthankar Ghosh, J.)***