

18.09.2025
Sl. No. 14
Ct No. 38
SG

WPA 7149 of 2025

**Ashok Gayen
Vs
The State of West Bengal & Ors.**

Mr. Udaynarayan Betal,
Mr. Bhaskar Hutait,
Mr. Mriganka Patra.

...for the petitioner

Mr. Biswabrata Basu Mallick,
Mr. Sayan Ganguly.

...for the State

1. Affidavit-of-service is kept with the record.
2. The main grievance of the petitioner is that the private respondent, namely, Santanu Das who is the neighbour of the petitioner has started the business of poultry farm without obtaining valid licence and clearances from the competent authority in front of the dwelling of the petitioner due to which the petitioner is facing great difficulties as the mother of the petitioner who is aged about 80 years and suffering from cardiac disease and due to the bad smell of the poultry business of the private respondent, the family of the petitioner is facing difficulties. The petitioner has made written complaint to the authorities on 28.11.2024 but till date none of the authorities has considered the complaint made by the petitioner. Accordingly, he prays for direction upon the authorities to consider the complaint made by him against the private respondent and for

stopping of the poultry business of the private respondent.

3. Learned Counsel appearing for the State has submitted the report of OC, Chandipur PS, Purba Medinipur along with trade certificate. As per the report, the private respondent is running the business of the poultry farm as per the trade registration certificate issued by the Panchayat.

4. This Court has considered the certificate relied by the State wherein it reveals that though the Panchayat has issued the trade certificate valid for the year 2024 to 2027 but in the said certificate it is mentioned that *‘Grant of this certificate shall not absolve the applicant from the requirement of procuring all the statutory clearances to be obtained from the appropriate authority before the actual commencement of the trade. If any violation/default is noted later, the certificate shall be liable to be cancelled and the trade/business shall be closed down with immediate effect’*. This Court did not find what are the requirements for running the poultry farm and who are the authorities to provide the certificates for running the poultry farm by the private respondent. Without obtaining any report from any of the concerned authority, Panchayat has issued trade certificate and now the private respondent is running the business of poultry farm. The authorities have not

considered the complaint made by the petitioner and is still pending before the authorities.

5. Considering the above, this Court dispose of the present writ petition directing the District Magistrate, Purba Medinipur being the respondent no. 4 herein shall dispose of the complaint made by the petitioner dated 28.11.2024 after giving an opportunity of hearing to the petitioner and private respondent and to pass a reasoned and speaking order within six weeks from the receipt of this order. The reasoned order shall be communicated to the petitioner immediately.

6. With the above direction, WPA 7149 of 2025 is disposed of.

7. It is made clear this Court has disposed of the writ petition at the motion stage without calling for the affidavits and this Court has not gone into the merits of the matter.

(Krishna Rao, J.)