

Court No. 8
20.08.2025
Item No.28
PA (Chamber)

WPA (P) No. 324 of 2025

**Bhagirath Jana
VS
The State of West Bengal & Ors.**

Mr. Gobinda Chandra Baidya,
Mr. Provash Mondal
...for the petitioner

Mr. Jahar Lal De, Ld. AGP
Mr. Kaustav Bhattacharya
...for the State

Dictated by Smita Das De, J.

1. Heard Mr. Gobinda Chandra Baidya, appearing on behalf of the petitioner as well as Mr. Jahar Lal De, learned AGP, appearing on behalf of the State.
2. The instant writ petition has been filed in the nature of public interest litigation by the petitioner praying inter alia for the following relief(s):-

“A) A Writ and/or Writs in the nature of Mandamus direct the concern respondent authorities to make investigation and take appropriate legal step against the private respondent to stop the puffed rice mill in the locality beside the Kindergarten School and within the village area which is dangerous for human life;

B) A Writ and/or Writs in the nature of Mandamus to direct the state respondents to make investigation and take proper step in accordance with law and if any illegality finds thereat kindly direction be given to stop the puffed rice

mill conducted by the private respondent immediately without any delay;

C) A Writ and/or Writs in the nature of Mandamus to direct and State Agencies to make report whether the puffed rice mill has been established as per the guidelines for making the same in accordance with law and submit the report before Your Lordships in the interest of justice;

AND

D) A Writ of or in the nature of Certiorari be issued directing the Respondents to forthwith transmit all papers and documents relating to this case so that on perusal of the same a conscionable justice may be administered thereof.

AND

E) Rule NISI in the terms and prayer above;

AND

F) Interim order in terms of prayer [A] and [B];

AND

G) Pass such order/orders as your Lordship may deem fit and proper.”

3. The main grievance of the writ petitioner is against the private respondents for running illegally puffed rice mills without obtaining any valid documents required for establishing the same.

4. The petitioners were compelled to lodge a written complaint on 6.8.25 before the respondent No. 6 for taking necessary steps for stopping of the rice mill since the earlier application dated 30.8.24

submitted before the respondent No. 8 were not taken into consideration for closer of the mill. Till date no appropriate steps have been taken by the concerned authorities.

5. In conspectus of the above, the petitioner's are directed to submit a fresh comprehensive representation before the respondent No. 5 and 8 within a period of fortnight and the same shall be considered in accordance with law by passing a reasoned order upon affording opportunity of hearing to the interested person within a period of 60 days and thereafter the same shall be communicated to all the interested parties accordingly.

6. Upon such consideration if the mill is found to be running illegally and affecting the lives of the villagers, the authority concerned shall take immediate steps in accordance with law to restrain such menace caused to the villagers.

7. The instant PIL is disposed of. No order as to costs.

(SUJOY PAUL, J)

(SMITA DAS DE, J.)