

11-07-2025
Item No.75 ML
Subrata
Bhattacharyya
AR(C)

IN THE HIGH COURT AT CALCUTTA

Constitutional Writ Jurisdiction
Appellate Side

WPA No.21205 of 2024

Sri Sudipta Dey & Anr.

-vs-

The State of West Bengal & Ors.

Mr. Arka Pratim Chowdhury
Mr. Aditya Kumar Sonar
Mr. Rajdeep Bhattacharya
Ms. Afreen Tarannum ...for the petitioners

Mr. Soumya Mukherjee ...for the WBPCB

1. The petitioners allege that the private respondents are running a manufacturing unit of sweetmeat inside a room which is creating pollution in the area.
2. It appears from the documents annexed to the writ petition that a complaint was lodged before the State Pollution Control Board way back in July 2013. A notice of hearing was given by the Board in August 2013.
3. By an order dated September 16, 2013, the West Bengal Pollution Control Board directed that the unit could not operate with effect from December 1, 2013 without valid trade licence and 'consent to operate' from the State Pollution Control Board.
4. By another order passed in January 29, 2014, the Pollution Control Board directed the Officer-in-Charge of Uttarpara police station and the Executive Officer of Uttarpara-Kotrung Municipality to oversee that the polluting unit does not operate without valid documents.

5. Learned counsel for the petitioners alleges that despite the aforesaid orders passed by the Pollution Control Board, the polluting unit is still functioning. A notice demanding justice on behalf of the petitioner was served on the municipality and the West Bengal Fire & Emergency Services on August 16, 2024. No steps have been taken to stop the polluting unit. Hence, this writ petition has been filed.
6. None can be permitted to carry on business without following the prevailing laws.
7. The instant writ petition is disposed of by directing the concerned municipality and the West Bengal Pollution Control Board to take necessary follow-up steps positively within a period of eight weeks from the date of communication of this order to ensure that the subject unit which did not comply with the pollution norms is not permitted to operate.
8. All parties are to act on the server copy of this order duly downloaded from the official website of this Court.
9. Certified copy of this order, if applied for, shall be made available to the parties.

[Amrita Sinha, J]

