

**Calcutta High Court
In the Circuit Bench at Jalpaiguri
Appellate Jurisdiction**

WPA 2 of 2025

Jatileswar Rice Mills Pvt. Ltd.
Vs.
The State of West Bengal & Ors.

Mr. Joydeep Kanta Bhowmik.
Mr. Sayantan Bhowmik.
Mr. Shubham Kumar.
Ms. Sayantani Das.

... For the petitioner.

Mr. Arjun Roy Mukherjee. V.C.
... For the Pollution Control Board.

Mr. Subir Kumar Saha. Ld. A.G.P.
Mr. Pradip Sarkar.
... For the State.

Ms. Riya Biswas.
... for the respondent no. 4.

1. Leave granted to the learned advocate for the private respondent to file vakalatnama in the department in course of the day.

2. The petitioner submits that complaint was lodged against the petitioner's mill and inspection was conducted behind the back of the petitioner.

3. Order was passed by the Board on 29th October, 2024 clearly recording that the mill is not in operation for the last one year. The consent to operate is, however, valid upon 31st August, 2025.

4. Hearing by the Board was conducted on 24th September, 2024 but none represented the Unit, that is, the petitioner herein. The complainant was present and made submission. The mill was directed to resume

operation only after installing proper pollution abatement system in respect of both air and water.

5. Learned advocate representing the petitioner submits that proper pollution abatement system was already installed in the unit but the unit was not in operation for the last one year.

6. A representation is claimed to be filed through the legal representative of the petitioner in December, 2024 before the Board and the same is alleged to be kept pending.

7. Prayer has been made to direct the Pollution Control Board to consider the same.

8. Learned advocate representing the private respondent/complainant submits that hearing was conducted in connection with the rice mill of the petitioner on 11th April, 2025 and thereafter on 30th April, 2025 by the Pollution Control Board.

9. Learned advocate for the petitioner submits that copy of the notice of hearing was not served upon the petitioner.

10. As the petitioner admits of not operating the mill for the last one year, the petitioner shall be permitted to operate only after written permission is granted by the Pollution Control Board in this regard.

11. The Pollution Control Board shall keep strict vigil to ensure that the unit does not run without complying with all necessary formalities.

12. The writ petition stands disposed of.

13. Urgent photostat certified copy of this order be supplied to the parties, if applied for, as early as possible.

(Amrita Sinha, J.)