

D/L- 10
12/03/2026
Ct. No.-19
Aritra

WPA 5310 of 2026
Nacheba Bibi Sekh
Vs.
The State of West Bengal & Ors.

Mr. Abhra Mukherjee
Mr. Subrata Mukherjee
Mr. Sauradeep Dutta
Mr. Arpayan Mukherjee
Mr. Himadree Ghosh

....for the petitioner

Mr. Soumitra Bandyopadhyay, Sr. Govt. Adv.
Mr. Priyabrata Batabyal

....for the State

Mr. Arjun Ray Mukherjee
Ms. Debapriya Mitra

....for the respondent No.7/WBPCB

Affidavit of service filed in Court today is taken on record.

The petitioner claims to be running the business of manufacturing bricks under the name and style “M/s. STS Brick Field” within the jurisdiction of Kaliganj Police Station in the District of Nadia.

The learned advocate appearing for the petitioner submits that pursuant to an order dated January 28, 2026 passed by the Hon’ble Division Bench in a Public Interest Litigation being WPA(P) 582 of 2025, the petitioner has taken steps pursuant thereto. He further submits that the petitioner applied before the authorities of the West Bengal Pollution Control Board for issuance of the

necessary certificates from such department to enable the petitioner to run the business of manufacturing bricks.

Heard the learned advocate for the State.

Mr. Ray Mukherjee, learned advocate appearing for the West Bengal Pollution Control Board files a copy of minutes of the meeting of the District Level Screening and Scrutiny Committee, Nadia held on January 22, 2025 and submits that the petitioner is one of the 8 brick fields that were directed to clear pending land revenue dues with an indication that upon clearance of such dues they will be recommended for Consent to Operate (for short CTO).

On a query of the Court as to whether the petitioner has complied with the directions contained in the minutes of the meeting of the said Committee, the learned advocate appearing for the petitioner submits that if the same has not yet been complied with, the same shall be complied with within a period of 3 weeks from the date of receipt of a server copy of this order.

Upon compliance of the directions contained in the minutes of the meeting of the Committee of the Pollution Control Board dated January 22, 2025, petitioner will be at liberty to approach the concerned authority of the West Bengal Pollution Control Board and such authority shall consider the same and take a decision in accordance with law. If any decision adverse to the petitioner is contemplated, such authority shall afford an opportunity

of hearing to the petitioner or his/her authorised representative.

In the event such authority is of the opinion that certain other documents are necessary for the purpose of considering the case of the petitioner for issuance of the certificate of Consent to Operate, it will be open to such authority to call for such documents from the petitioner and upon such request being made, the petitioner shall be obliged to comply with the same.

The authorities of the West Bengal Pollution Control Board shall communicate its decision to the petitioner within a period of 6 weeks from the date of compliance of all formalities by the petitioner.

With the aforesaid observations and directions, WPA 5310 of 2026 stands disposed of.

There will be no order as to costs.

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

(Hiranmay Bhattacharyya, J.)