

161 (ML)
11.06.2026
Ct. No.15
b.das

WPA 10017 of 2025

Dhyenesh Narayan Maiti
Vs.
The State of W.B. & Ors.

Mr. Malay Bhattacharya
Mr. Pradip Paul
Ms. Renesa Dey ...for the petitioner.

Mr. D. N. Ray
Mr. Madhu Jana
Ms. Puja Sonkar ...for the State.

Affidavit of service filed by the petitioner is taken on record.

Learned counsel for the petitioner submits that the petitioner is running a poultry farm on the basis of a valid trade licence in the plot in question.

The private respondents filed an application before the Pradhan, Palshya Gram Panchayat, being the 4th respondent herein, raising objection to running of the said farm pursuant to which a notice was issued by the said respondent requesting him to appear before the authority on 20th March, 2025 for a discussion. The petitioner duly appeared before the Pradhan on that date and was verbally directed by the Pradhan not to continue with the farm till a final decision was taken.

Learned counsel submits that no decision has been taken by the Pradhan as yet and the petitioner is unable to continue his business.

The petitioner placed the notification issued by the department of Environment, Government of West Bengal on 18th July, 2016 along with the guidelines for prevention and control of pollution in poultry units before the Pradhan for consideration.

The petitioner submits that the poultry farm is being run upon compliance with all requisite formalities and procedures.

Upon consideration of the submission made on behalf of the parties, this Court is inclined to hold that since the 5th respondent is yet to take a final decision with regard to the application filed by the private respondents before him, he is directed to deal with the issue and dispose of the same by a reasoned order upon granting hearing/further hearing to all concerned including the petitioner, within four weeks from the date of communication of this order.

The 5th respondent shall consider whether the poultry farm is being run by the petitioner in accordance with the existing laws/rules and take a reasoned decision in this regard with the stipulated time frame.

The decision taken by the authority shall be communicated to the parties within a week thereof.

The writ petition is disposed of accordingly.

There shall, however, be no order as to costs.

Since no affidavit is invited, the allegations contained in the writ petition are deemed not to have been admitted.

Urgent certified website copy of this order, if applied for, be supplied to the parties upon compliance with all requisite formalities.

(Suvra Ghosh, J.)