

S/L 8
24.06.2026
Court. No. 25
suvayan

WPA 25199 of 2025

Sri Sudipa Dey & Anr.
Vs.
The State of West Bengal & Ors.

Mr. Arka Pratim Chowdhury
Mr. Samrat Saha
Ms. Dipanwita Das

...for the petitioners.

Ms. Sudipa Banerjee
Ms. Manisha Paswan

...for the State.

Mr. Soumya Mukherjee

...for the respondent no. 3.

Ms. Tina Biswas

...for the respondent no. 8.

Mr. Dipak Kumar Mukherjee
Mr. Rajib Mukherjee
Ms. Shreyasi Bhaduri

...for the Municipality.

1. The report filed by the Uttarpara Kotrung Municipality be kept with the record.
2. The main grievance of the petitioners in the present writ application that the private respondent no. 8 is the tenant under the petitioner and is running the sweet shop under the name and style of Bhakti Mistanna Bhandar without obtaining any permission from the competent authority.
3. Learned counsel for the petitioners submits that on the earlier occasion the petitioner has filed the writ application being WPA 21205 of 2024 which was disposed of by this Court by an order dated July 11, 2025 wherein this Court directed 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.

4. In terms of the order passed by the co-ordinate Bench of this Court, the West Bengal Pollution Control Board has initiated the proceeding and passed the following order:

“Accordingly, we, considering the overall scenario and the contents of the inspection report of the State Board Official and submission of the representative of the complainant, M/s Bhakti Mistanna Bhandar, is hereby directed to:

- 1. Obtain all statutory licenses including consent to establish and consent to operate under "Green" category of the State Board and do not run any manufacturing activity in their present location, till obtaining 'Consent to Operate' of the Board;*
- 2. Install appropriate air pollution control system (APCD) for controlling emissions or use a cleaner fuel, so that the people living in the neighbourhood may not be inconvenienced due to emissions generated from its operation and ventilate emissions through a stack of adequate height (as per Emission Regulations Part III of CPCB) Fugitive emission shall be avoided;*
- 3. Install effluent treatment plant (ETP) immediately for the effluent generated from their respective unit; and*
- 4. Dispose of solid wastes properly as per the Solid Waste Management Rules, 2016.*

The unit is further directed to comply with the direction above and submit a compliance report to the In-charge of the Hooghly Regional Office of the State Board within 30th September 2025, If they want to continue with their manufacturing activity at the present location.

The In-charge of the Hooghly Regional Office of the State Board, the Executive Officer,

Uttarpara Kotrang Municipality, may be kept informed of this order.

The Officer in Charge, Uttarpara Police Station, is requested to oversee the compliance of this order and also see that the M/s Bhakti Mistanna Bhandar shall not operate their sweet meat manufacturing activities without obtaining 'Consent to Operate' under Green category of the State Board. In case of any violation of this order, the necessary action may be taken/initiated in accordance with law.”

5. Learned counsel for the petitioner submits that in spite of the order passed by the West Bengal Pollution Control Board, the private respondent no. 8 has not complied with the said direction and still running the sweet shop without any permission from the competent authority by violating all the rules and regulations.
6. When the matter was taken up for hearing on May 7, 2026, learned counsel appearing for the private respondent no. 8 submitted that the private respondent no. 8 had not obtained the certificate from the West Bengal Pollution Control Board and is not running the business at present. Accordingly, this Court directed the authority to file report.
7. The Chairman, Uttarpara Kotrung Municipality has filed a report wherein it reveals that no business activities was seen at the said address under the name and style of Bhakti Sweets/Bhakti Mistanna Bhandar and the said shop was under lock and key. Along with the said report a photograph has also been enclosed which shows that the said shop room is under lock and key.

8. Considering the above, this Court finds that no purpose would be served by keeping the writ petition is pending.
9. Accordingly, the respondent authorities particularly the respondent nos. 3, 4, 5 and 7 are directed not to allow the private respondent no. 8 to run the business in the said premises without obtaining necessary permission from the concerned authorities.
10. WPA 25199 of 2025 is disposed of.
11. Urgent photostat certified copies of this order, if applied for, be supplied to the parties upon compliance with all the necessary formalities.

(Krishna Rao, J.)