

WPA(P)/507/2025

**PAYEL MAJI
VS.
STATE OF WEST BENGAL AND ORS.**

Mr. Atarup Banerjee, Adv.
Mr. Arindam Sen, Adv.
Mr. Saurav Basu, Adv.
Mr. Rajdeep Pramanik, Adv.
Ms. Simika Roy, Adv.
Mr. Sumik Biswas, Adv.

....For the Petitioner

Mr. Nilotpal Chatterjee, Adv.
Mr. Amritlal Chatterjee, Adv.

...For the State-Respondent

Dictated by **Sujoy Paul, CJ.**

1. Parties are represented through their respective learned counsel.
2. Affidavit service filed is taken on record.
3. Learned counsel for petitioner submits that the concerned Gram Panchayat appears to have issued the trade licence to the private respondent on the strength of which he is running his business. However, it is contended that the West Bengal Pollution Control Board recorded that the unit could not produce any statutory licence including CTE/CTO upon demand during inspection. This communication dated 25th November,

2024, filed with the supplementary affidavit is heavily relied upon. It is submitted that the petitioner will file a detailed representation along with relevant documents and said communication of the Pollution Control Board before the Gram Panchayat and in turn, Gram Panchayat may be directed to decide his representation seeking revocation of the said permission and in order to stop the illegal business.

4. Shir Chatterjee, learned government counsel, has no objection to this innocuous prayer.
5. Accordingly, this petition is **disposed of** issuing following directions:
 - a) If the petitioner prefers a detailed representation along with relevant documents and server copy of this order before the concerned Gram Panchayat, the Gram Panchayat shall cause notice to the private respondent and after hearing both the parties shall take a decision in accordance with law expeditiously, preferably within 45 days

from the date of communication of server copy of this order.

- b) Needless to mention that Gram Panchayat needs to take decision in relation to annulment/revocation of the trade licence issued by it.
 - c) The petitioner, during the course of proceedings before Gram Panchayat, can file an application for interim relief seeking stay of the manufacturing process of the hotel in view of communication of Pollution Control Board dated 25th November, 2024.
 - d) The Gram Panchayat shall hear both the parties and decide the said interim application in accordance with law.
- 6.** Urgent Photostat certified copy of this order, if applied for, be given to the parties, on priority basis, upon compliance of all necessary formalities.

(SUJOY PAUL, C.J.)

(PARTHA SARATHI SEN, J.)