

In The High Court at Calcutta

CONSTITUTIONAL WRIT JURISDICTION

(Appellate Side)

W.P.A. 22494 OF 2026

ANGURBALA MONDAL

VS.

THE STATE OF WEST BENGAL AND OTHERS

.....

Mr. Tapan Dutta Gupta, Adv.
Mr. Parvej Anan, Adv.
Ms. Rituparna Ghosh, Adv.
Mr. Sourav Sandu, Adv.

...For Petitioner

Mr. Arkaprava Sen, Adv.
Mr. Srijit Halder, Adv.

...For State

Mr. Susanto Pal, Adv.
Ms. Sanchayita De, Adv.

...For Respondent No.5

Ms. Pampa Dey (Dhabal), Adv.
Ms. Sangita Banerjee, Adv.

...For Respondent Nos.7 & 8

1. Affidavit-of-service filed on behalf of petitioner is taken on record.
2. By presenting this writ petition, petitioner prays for direction upon the concerned police authority to take steps against respondent nos.7 & 8 since it is alleged that unauthorizedly respondent nos.7 & 8 are running dairy farms/ units which are adjacent to the residence of petitioner causing health hazards. Prayer is made for directing concerned police authority to stop said dairy farms/ units.
3. State respondents and respondent nos.7 & 8 are represented by learned advocates, who have opposed the writ petition on the count that petitioner is also running a dairy farm.
4. It is submitted on behalf of State respondents if petitioner finds that respondent nos.7 & 8 are running dairy farms/ units unauthorizedly causing health

hazard, in that event, petitioner needs to approach West Bengal Pollution Control Board for adjudication.

5. Respondent no.5 being Secretary of concerned Gram Panchayat is also represented.
6. Having considered the respective submissions made on behalf of parties, it needs to be recorded herein that police authority is not the appropriate authority to decide whether dairy farms/ units are being run by respondent nos.7 & 8 in accordance with law or not and whether running of such dairy farms cause health hazard. If petitioner is aggrieved by running of such dairy farms by respondent no.7 & 8, in that event, petitioner needs to approach concerned authority of West Bengal Pollution Control Board for adjudication of the issue.
7. Present writ petition is disposed of with liberty granted to petitioner to approach appropriate forum in pursuit of remedy.
8. Parties to act on the server copy of this order duly downloaded from the official website of this court.

(SAUGATA BHATTACHARYYA, J.)