

**BEFORE THE NATIONAL GREEN TRIBUNAL
EASTERN ZONE BENCH, KOLKATA
(THROUGH PHYSICAL HEARING WITH HYBRID MODE)**

Original Application No.27/2023/EZ

In the Matter of:

Sk Osman,
Son of Sk. Ismail,
Residing at Village – Pontba Simlagarh,
Post Office – Simlagarh,
Police Station – Pandua,
District – Hooghly,
Pin – 712149

.....**Applicant(s)**

Versus

- 1. The Chief Secretary,**
Government of West Bengal,
Having his office at Nabanna (7th Floor)
325, Sarat Chatterjee Road, Shibpur,
Howrah – 711102
- 2. The Member Secretary,**
Department of Environment,
Having his office at West Bengal Pollution Control Board,
Paribesh Bhawan,
10A, Block-LA, Sector-111,
Salt Lake City,
Kolkata – 700106
- 3. The Chairman,**
West Bengal Pollution Control Board,
Having office at Paribesh Bhawan,
10A, Block-LA, Sector-111,
Salt Lake City,
Kolkata – 700106
- 4. The District Magistrate, Hooghly,**
Having his office at Hooghly,
Ghatakpara, Chinsurah R S,
Chinsurah,
West Bengal – 712101
- 5. The Block Development Officer,**
Pandua Development Block,
Station Road, Pandua,
Hooghly,
Pin – 712149
- 6. The Superintendent of Police,**
Hooghly Rural Police District,

Having his office at Singur,
Kamarkundu,
West Bengal- 712407

7. The Officer-in-Charge,
Police Station - Pandua,
Pandua,
West Bengal – 712149

8. Sk. Jamsed,
Son of Sk. Mintu,
Village - Pontba,
Simlagarh,
Police Station - Pandua,
District – Hooghly,
West Bengal – 712135

.....**Respondent(s)**

Date of hearing: 17.03.2023

CORAM: HON'BLE MR. JUSTICE B. AMIT STHALEKAR, JUDICIAL MEMBER
HON'BLE PROF. A. SENTHIL VEL, EXPERT MEMBER

For Applicant(s) : Ms. Ritushree Banerjee, Advocate a/w
Ms. Jayashree Patra, Advocate

ORDER

1. Heard learned Counsel for the Applicant.
2. The allegation in the Original Application is that the Respondent No.8 is operating an illegal poultry farm in conflict with the judgment of National Green Tribunal, Principal Bench, New Delhi dated 16.09.2020 in *Original Application No. 681/2017 Gauri Maulekhi Vs. Union of India & Ors.* and National Green Tribunal, Eastern Zone Bench, Kolkata dated 22.04.2022 in *Original Application No.44/2021 Swarup Roy & Ors. Vs. State of West Bengal & Ors.* The relief has been sought against the Respondent No.8 but the Respondent No.8 has been impleaded in the Original Application is proforma respondent even though he is a necessary party who will be directly affected by adverse order, if any, which may be passed in the Original Application
3. There is another aspect of the matter that no details or particulars of the plot number or the area of the poultry farm or where it is

situate or approximately how many birds are there in that poultry farm, have been mentioned in any paragraph of the Original Application.

4. Ms. Jayashree Patra, learned Counsel appearing for the Applicant prays that she may be permitted to withdraw this Original Application and with liberty to file a fresh Original Application giving full particulars.
5. Original Application No.27/2023/EZ is dismissed with aforesaid liberty.
6. There shall be no order as to costs.

.....
B. Amit Sthalekar, JM

.....
Prof. A. Senthil Vel, EM

March 17, 2023
Original Application No.27/2023/EZ
BD

NGT