

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

Original Application No.07/2023/EZ

Vijay Kumar Burman

Applicant(s)

Versus

Central Pollution Control Board & Ors.

Respondent(s)

Date of hearing: 06.02.2023

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

For Applicant(s) : Mr. Pallav Chatterjee, Advocate

ORDER

1. Heard Mr. Pallav Chatterjee, learned Counsel appearing for the Applicant.
2. The allegation in the Original Application is that the Applicant is a resident of R.S. Plot No. 33, J.L. No. 63, Mouza-Sujara, Police Station – Faridpur, Durgapur, District-Bardhaman, and the Respondent No.7, Private Respondent, is in occupation of a plot which is contiguous to the plot of the Applicant where he has started a Service Centre in the name and style of 'Laxmi Service Centre' at Kada Road, near Shiv Mandir, G.T. Road, Durgapur – 713203, and has recently installed a Stone Crusher and he is operating the said Stone Crusher Unit at the said plot.
3. It is alleged that as a result of the operation of the Stone Crusher, there is a vast quantity of emission of dust which is becoming a source of health hazard not only to the Applicant but also to the residents in the vicinity of this Stone Crushing Unit.
4. In our opinion, matter requires consideration.
5. Issue notice to the Respondents, returnable within four weeks.

6. Mr. Surendra Kumar, learned Counsel who is present in Court, accepts notice on behalf of the Respondent No.1, Central Pollution Control Board.
7. Mr. Dipanjan Ghosh, learned Counsel who is present in Court, accepts notice on behalf of the Respondent Nos.2, 3 & 4, West Bengal Pollution Control Board.
8. Mr. Sudip Kumar Dutta, learned Counsel who is present in Court, accepts notice on behalf of the Respondent Nos. 5 & 6, State Respondents, Government of West Bengal.
9. Issue notice to the Respondent No.7, returnable within four weeks.
10. All the Respondents shall file their counter-affidavits within four weeks.
11. The learned Counsel for the Applicant shall serve e-copy/soft copy of the Original Application along with all its annexures upon Mr. Surendra Kumar, Mr. Dipanjan Ghosh and Mr. Sudip Kumar Dutta, learned Counsel for the Respondents within 24 hours.
12. **List on 16.03.2023.**

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B. Amit Sthalekar, JM

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Prof. A. Senthil Vel, EM

February 06, 2023
Original Application No.07/2023/EZ
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