

BEFORE THE NATIONAL GREEN TRIBUNAL  
EASTERN ZONE BENCH, KOLKATA, WEST BENGAL  
FINANCE CENTRE, 3<sup>RD</sup> FLOOR, NEW TOWN  
KOLKATA -700157

MEMORANDUM OF APPLICATION

[Under Section 18(1) read with Sections 14, 15 and 17 of the  
National Green Tribunal Act, 2010]

Original Application No. of 2024

Between

Dilip Kumar Roy

... Applicant

-Versus-

The West Bengal Pollution Control Board, through its Member  
Secretary, Government of West Bengal & Ors.

... Respondents

AND

Madhumita Adhikary & Ors.

.... Proforma Respondents

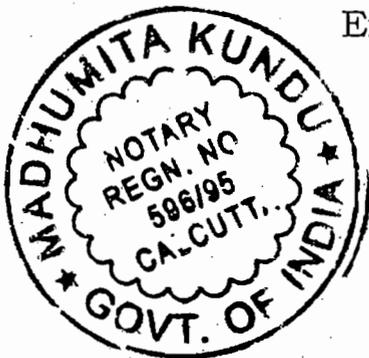
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S.P. Shaw, Advocate,  
High Court, Calcutta  
Bar Association, City Civil Court Building  
2 & 3, K.S. Roy Road, 4th Floor, Kolkata-700001  
M-9831221847  
Email:prasadshawsuresh@gmail.com  
Enrolment No.WB/957/88.



BEFORE THE NATIONAL GREEN TRIBUNAL  
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The West Bengal Pollution Control Board, through its Member  
Secretary, Government of West Bengal & Ors.

... Respondents

AND

Madhumita Adhikary & Ors. .... Proforma Respondents

SYNOPSIS

The applicant above named begs to present the  
MEMORANDUM OF APPLICATION against the inaction of the  
respondent authorities to protect Trees in Panagarh, Purba



Burdwan, the Plants and Trees are encroached by illegal cutting of more than 500 trees of Mahoguni species by the respondent no.1 to 10 throughout the stretch of the forest side, cutting trees which is the main source of air for the people living in the district and also endangering the natural flora and fauna of the plants, resulting harm of human being in the jungle, moreover the trees are source of fresh air.

The applicant is the bonafide and rightful shareholder having 2,00,000 (two lakhs) shares in the company, Panagarh Cold Storage Private Limited being the respondent no.11. The applicant used to look after and manage the company since its foundation. Cold Storage was stopped functioning since 2011. The respondent nos.12 to 16 sold their 100% share by executing a Memorandum of Understanding long back dated 19.04.2012 in favour of the proforma respondent no.23 & Ors. That the respondent No(s).12 to 22 with the help of their associates started cutting trees in the premises of Panagarh Cold Storage Private Limited being the respondent no.11 illegally on 02.04.2024 and the applicant lodged a complaint to the respondent no.10 on 04.04.2024 through email, also to the respondent no.6 on 05.04.2024 but till date no FIR has been lodged against the private respondent nos.12 to 22. The



applicant also informed regarding the complaint to the respondent no.9 vide his letter dated 12.04.2024 but no step has been taken till date against the private respondent no.12 to 22. That the applicant vide his letter dated 07.05.2024 informed the respondent no.10 regarding filling the land with ash, but still the respondent no.10 failed and neglected to lodge FIR against the respondent no.12 to 22. That the applicant also sent a 'Demand of Justice' vide his letter dated 13.05.2024 to the respondent no.8 and 10 but till date no steps has been taken against the respondent no.12 to 22.

The applicant also lodged a complaint vide his letter dated 06.05.2024 to the respondent no.1 to 7, but till date no steps has been taken by them.

Being aggrieved and dissatisfied with the inaction and/or non action of the respondent authorities the Applicant begs to present the MEMORANDUM OF APPLICATION.

S.P. Shaw, Advocate,  
High Court, Calcutta  
Bar Association, City Civil Court Building  
2 & 3, K.S. Roy Road, 4th Floor, Kolkata-700001  
M-9831221847  
Email:prasadshawsuresh@gmail.com  
Enrolment No.WB/957/88.





- 12.04.2024 :: Letter to the Superintendent of Police, Purba Bardhaman.
- 06.05.2024 :: Representation made by the applicant to the respondent no.1 to 14;
- 07.05.2024 :: Letter to the Officer-in-Charge Budbud Police Station against the private respondents for filling of land.
- 13.05.2024 :: Demand of Justice submitted by the applicant to the respondent.
- 19.05.2024 :: Copy of FIR.

S.P. Shaw, Advocate,  
High Court, Calcutta  
Bar Association, City Civil Court Building  
2 & 3, K.S. Roy Road, 4th Floor, Kolkata-700001  
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MEMORANDUM OF APPLICATION

[Under Section 18(1) read with Sections 14, 15 and 17 of the  
National Green Tribunal Act, 2010]

Original Application No.                      of 2024

Between

Dilip Kumar Roy son of Late Nepal Chandra Roy, permanently  
residing at Barada Bhaban, Old G.T. Road, near Panagarh  
Bazar, Post Office – Panagarh Bazar, Police Station – Kanksa,  
District Paschim Bardhaman, Pin – 713148.

.... Applicant

-Versus-

1. The West Bengal Pollution Control Board, through its  
Member Secretary, Government of West Bengal, Paribesh  
Bhavan, 10A, Block LA, Sector-III, Bidhannagar, Salt



Lake City, Kolkata-700106, email - net.wbpcb-wb@bangla.gov.in ;

2. The Additional Chief Secretary, Department of Environment Govt. of West Bengal, Prani Sampad Bhavan, 5<sup>th</sup> Floor, LB-2, Sector-III, Salt Lake City, Kolkata-700106, email - psecy.env-wb@gov.in ;
3. The Principal Chief Conservator of Forest, Government of West Bengal, Aranya Bhawan, 4<sup>th</sup> Floor, 10A, Block LA, Sector-III, Salt Lake City, Kolkata-700106, email - pccfhoff-wb@nic.in ;
4. The Chief Executive Officer, Asansol Durgapur Development Authority, Government of West Bengal, 1<sup>st</sup> Administrative Building, City Centre, Durgapur-713216, email - adda.dgpr@gmail.com ;
5. Divisional Forest Officer, Burdwan Division, P.O. & District Burdwan - 713104, email-dfobur-wb@nic.in;
6. The Range Officer, Panagarh Forest Range, Burdwan Division, Forest Department, Govt. of West Bengal, P.O.



Panagar Bazar, P.S. Kanksa, Dist. Paschim Burdwan,  
Pin-713148.

7. The Central Pollution Control Board, Government of India, service through the Member Secretary, Parivesh Bhawan, East Arjun Nagar, Delhi - 110032, email - [ccb.cpcb@nic.in](mailto:ccb.cpcb@nic.in);
8. The State of West Bengal, service through the Secretary, Ministry of Home Affairs, office at Nabanna, 325, Sarat Chatterjee Road, Shibpur, Howrah-711102, email - [wb.secyhome@gmail.com](mailto:wb.secyhome@gmail.com);
9. The Commissioner of Police Asansol-Durgapur Police Commissionerate, Paschim Bardhaman, Government of West Bengal, 5, Elyn Lodge G.T. Road, Kumarpur, Asansol - 713304, West Bengal, email - [cpadpc@gmail.com](mailto:cpadpc@gmail.com);
10. The Officer In Charge, Budbud Police Station, Government of West Bengal, District Purba Burdwan-713403, email - [budbudpsadpc@gmail.com](mailto:budbudpsadpc@gmail.com);
11. Panagarh Cold Storage Private Limited, represented by its one of the share holder being the applicant herein,



having its office at G.T. Road, under mouza Dharala, Ausgram, Block-2, under Kota Gram Panchayat, P.S. Budbud, District PurbaBurdwan-pin 713403, email - kmg\_co@rediffmail.com;

12. Parijat Roy, son of Fatik Roy, residing at NRR Sarani, P.S. Asansol (south), District Puschim Burdwan-Pin No. 713301.
13. Mita Roy, wife of Parijat Roy, of NRR Sarani, P.S. Asansol(south), District Puschim Burdwan-Pin No. 713301.
14. Tanmoy Roy, son of Fatik Roy, residing at NRR Sarani, P.S. Asansol(south), District PuschimBurdwan-Pin-713301.
15. Sayan Roy @ Subha Roy, son of Parijat Roy, residing at NRR Sarani, P.S. Asansol (south), District PuschimBurdwan-Pi No. 713301.
16. Rahul Roy, son of Santosh Roy, residing at NRR Sarani, P.S. Asansol(south), District Puschim Burdwan-Pi No. 713301.



17. Somnath Karmakar, son of Late Sudha Karmakar of Vill & P.O.- Sowain, P.S.- Budbud, District -Purba Burdwan, Pin-713148.
18. Jeevan Kumar Mukherjee, son of Late Satya Narayan Mukherjee of Vill & P.O.- Sowain, P.S.- Budbud, District - Purba Burdwan, Pin-713148.
19. Gadhadhar Khumbhakar, son of Haradhan Kumbhakar of Vill & P.O.- Sowain, P.S.- Budbud, District - Purba Burdwan, Pin-713148.
20. Sankar Bagdi, son of Not known of Vill- Pondali, P.O. - Sowain, P.S.- Budbud, District -Purba Burdwan, Pin-713148.
21. Dayamoy Bagdi, son of Not known of Vill- Pondali, P.O. - Sowain, P.S.- Budbud, District -Purba Burdwan, Pin-713148.
22. Bistu Bagdi, son of Not known of Vill- Pondali, P.O. - Sowain, P.S.- Budbud, District -Purba Burdwan, Pin-713148.

..... Respondents



23. Madhumita Adhikary, wife of Mr. Subrata Adhikari,  
residing at Bagati, Adhikary Para, P.O. Mogra, Dist.  
Hooghly, Pin-712148.

24. Sudip Roy

25. Keya Roy wife of Dilip Kumar Roy

26. Smt. Gitashree Roy wife of Sudip Roy,

All 23 to 26 are residing at Barada Bhaban, Old G.T. Road,  
Near Panagarh Bazar, P.O. Panagarh Bazar, P.S. Kanksa,  
District Paschim Burdwan-713148.

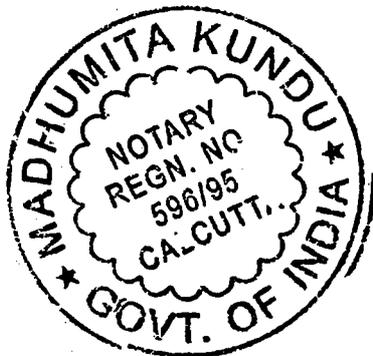
... Proforma Respondents

The humble petition on behalf of  
the Applicant

MOST RESPECTFULLY SHEWETH :

I. The applicant is a citizen of India having address as  
stated above for the purpose of service of notices pertaining to  
the instant application.

II. The address of the respondents are stated above for the  
purpose of service of notices pertaining to the instant  
application. All the acts, actions and inactions of the



respondent authorities are amenable to the jurisdiction of this Hon'ble Tribunal.

III. The applicant above named begs to present the MEMORANDUM OF APPLICATION against the inaction of the respondent authorities to protect the trees and plants located in the campus of Panagarh Cold Storage Private Limited being the respondent no.11 lying and situate at G.T. Road, under mouza Dharala, Ausgram, Block-2, under Kota Gram Panchayat, P.S. Budbud, District PurbaBurdwan-pin 713403. The trees the main source of breathing fresh air for the people living in the district and also endangering the natural flora and fauna of the forest and/or jungle which is a violation to the Environment (Protection) Act, 1986 as well as The West Bengal Trees (Protection and Conservation in Non-Forest Areas ) Act, 2006, therefore this application have been filed by the applicant on the grounds set out hereunder:

IV. FACTS IN BRIEF :

1. That the applicant is a peace-loving and law-abiding citizen of the India.



2. That the applicant states that the respondent no.11 Panagarh Cold Storage Private Limited is a private limited company registered under the Indian Companies Act. The said cold storage is located at G.T. Road under Mouza - Dharala, Ausgram, Block-2. under Kota Gram Panchayat, Police Station - Budbud in the District of PurbaBurdwan.
3. That the applicant was the founder director of the respondent no.15 and a largest shareholder having 2,00,000 (Two Lakh) share of Panagarh Cold Storage Private Limited vide L/No.003. Certificate No.041-060, Distinctive No.400001-600000.
4. That the applicant states that the respondent no.12 and 16 were also the shareholders of the company. That Parijat Roy, Mita Roy and Tanmoy Roy being the respondent nos.12, 13 and 14 respectively by executing a Memorandum of understanding dated 19th day of April 2012 sold and transfer their entire shares to (a) M/s. Sumangal Himghar Pvt. Ltd., (b) Subrata Adhikary and (c) Madhumita Adhikary, being the Proforma respondent no.23 illegally, fraudulently, mischievously, motivatedly, with their ulterior motive and for their wrongful gain



without inviting the applicant and proforma respondent nos.23 to 26 in the board meeting of the company. It is pertinent to mention that the proforma respondents are also share holders of the company.

The photo copy of the said Memorandum of Understanding dated 19th April, 2012 is annexed hereto and marked as Annexure "P-1".

5. That the applicant states that the respondent no.12, 13, 14, 15 and 16 are no longer associated with the respondent no.11 company after sale of their entire shares. They have no right, title, claim and interest in the said company being the respondent no.11 herein.
6. That the applicant states that it is pertinent to mention that the proforma respondent no.24 to 26 also filed intervening application vide IVNA No.02/2023, IVNA No.03/2023 and IVNA No.04/2023 respectively and the same are pending for disposal and the next date is 4<sup>th</sup> July 2024.



Photo copy of the order dated 02.05.2024 passed by the Ld. National Company Law Tribunal, Bench - I is annexed hereto and marked as Annexure "P-2".

7. That the applicant states that the respondent nos.12 and 16 alongwith other share holders filed an application before the Ld. National Company Law Tribunal, Kolkata, Bench-I Vide Case No.CP No.1279/KB/2018 against the Subrata Adhikari and Madhumita Adhikary, being the proforma respondent no.23 wherein your applicant already filed an Intervening Application being No.IVNA No.P/2(KB) of 2022 and contesting the same. The said case is still pending for disposal and the next date of hearing has been fixed on 4<sup>th</sup> July, 2024. It is also pertinent to mention that the proforma respondent no.23 to 26 are also contesting this application.
8. That Madhumati Adhikary being proforma respondent No.23 a widow and the major share holder of the respondent no.11 company is helpless to take care and manage of the cold storage day to day and not in position to evict the respondent no.12 to 22 from their illegal



encroachment of the said cold storage due to financial crisis at present.

9. That the applicant states that during pendency of the case before the Learned National Company Law Tribunal the respondent no.12 to 22 alongwith their associates doing all these nefarious activities without knowledge of the Tribunal by suppressing the material facts.
10. That the respondent no.12 to 22 alongwith their men and agents are trespasser and under illegal and wrongful possession of the Cold Storage trying to sale the assets and property of the said cold storage from time to time unilaterally and as per their wish without taken resolutions in the Board Meeting. During the course of their wrongful and illegal activities the respondents started cutting of more than 500 trees of Mehaguni Species within the premises of Panagarh Cold Storage Private Limited being the respondent no.11 herein on and from 02.04.2024. They cut and sold more than 500 trees of Mehaguni Species from the campus of Panagarh Cold Storage being respondent no.11 herein and money arising



out of such sale has been engulfed jointly by the respondent no.12 to 22.

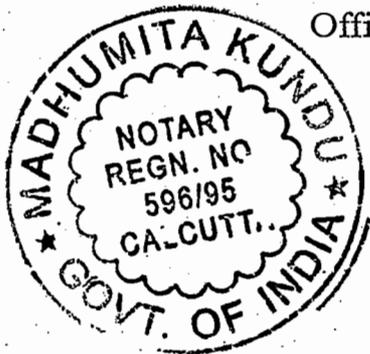
11. That the said Parijat Roy and other private respondents no.12 to 22 being illegal and wrongful occupants trying to destruct and/or alienate and/or sale the assets and property of the Cold storage for their wrongful gain by violating every law of land, though several cases as pending related to the respondent no.11, Panagarh Cold Storage Private Limited.

12. That the applicant states that the private respondent no.12 to 22 and their companions are looting the assets and properties of the Panagarh Cold Storage Private Limited being the respondent no.11 time to time by adopting their nefarious activities without fear and destroying the infrastructure of the same. Their criminal activities are on spree fearlessly in order to sale the assets and property of the said cold storage.

13. That the applicant through his letter dated 4.4.2024 addressed to respondent no.10 being the Officer in charge, Budbud Police Station, District – Paschim Bardhaman,



Pin-713403 and also to respondent no.6, the Range Officer, Panagarh Forest Range, Burdwan Division, Forest Department, Govt. of West Bengal, Post – Panagar Bazar, P.S. – Kanksa, Dist. Paschim Bardhaman, Pin – 713148 informed regarding the incident through e-mail on dated 4.4.2024 at about 4:16 p.m. and again on 5.4.2024 the applicant at about 11 a.m. went to the Police Station with the same letter and requested the respondent no.10 to lodge FIR against the private respondents nos.12 to 22 but the Duty Officer instructed one of the police officer to visit the site and at that time all the woods were loading in two tractors and/or trolleys. The said police officer took photographs of two tractors and/or trolleys and wood thereon and instructed the private respondent nos.12 to 22 and other labourers to stop loading with immediate effect and instructed the applicant to go to the police station being the respondent no.10. That the applicant along with his Ld. Advocate S.P. Shaw went to the police station but the then Duty Officer refused to lodge FIR against the private respondents no.12 to 22 and other labourers on the ground that until and unless the Range Officer being the respondent no.6 file complaint for the



incident in writing then police shall lodge FIR against the said private respondents and labourers.

Photo copy of the letter dated 04.04.2024 is annexed hereto and marked with Annexure "P-3".

14. That the applicant states that on the instruction of police personnel of Bud Bud police station, your applicant alongwith the Ld. Advocate went to the office of respondent no.10 on 05.04.2024 and the said letter dated 4.4.2024 has been submitted before the respondent no.6 and the same has been received by the respondent no.6 on 5.4.2024. The said respondent no.6 told your applicant that he has given permission for cutting of trees in favour of Parijat Roy being the respondent no.12 and also promised that he shall withdraw permission with immediate effect but neither police station lodged FIR against the Parijat Roy and other private respondent nos.12 to 22 nor the Range Officer stop the operation of cutting trees and loading the wood. The said private respondent no.12 to 22 with the help of labourers carried away all the woods of 500 trees on the same evening i.e. 5.4.2024.



Photo copy of the said letter dated 4.4.2024 is annexed hereto and marked as Annexure "P-4".

15. That being prejudiced dissatisfied and hopeless with the activities of respondent no.6 and 10 your applicant vide his letter dated 12.4.2024 addressed to the Superintendent of Police, Purba Bardhaman lodged FIR through e-mail on 12.4.2024 at about 3.23<sup>p.m.</sup> and a copy of the same has been duly received by the office on 15.4.2024 at about 1:30 p.m. which has been duly received by the authority concerned, but till date no action has been taken by the authority concern<sup>ed</sup> against the respondent no.12 to 22.

It is pertinent to mention that Superintendent of Police, Purba Bardhaman forwarded the said complaint to the respondent no.9.

Photo copy of the said letter dated 12.04.2024 is annexed hereto and marked as Annexure "P-5".

16. That the applicant states that the respondent nos.12 to 22 with help of other labourers started filling the land with ash and changing the nature and character of the



land. The applicant again filed a complaint before the respondent no.10 through e-mail on 07.05.2024.

Photo copy of the said letter dated 07.05.2024 is annexed hereto and marked as Annexure "P-6".

17. That the applicant vide his letter dated 13.05.2024 caused a "DEMAND OF JUSTICE" upon the respondent no.8, 9 and 10, but till date no legal steps has been taken by them.

Photo copy of the said letter dated 13.05.2024 alongwith postal receipts and delivery report are annexed hereto and marked with annexure "P-7".

18. That the applicant filed a writ application before the Hon'ble High Court against the respondent nos.8, 9, 10 and private respondent nos. 12 to 22 namely (i) Parijat Roy, (ii) Mita Roy, (iii) Tanmoy Roy, (iv) Sayan Roy @ Subha Roy and (v) Rahul Roy all (i) to (v) residing at NRR Sarani, P.S. Asansol (south), District Puschim Burdwan - Pin No. 713301 (vi) Somnath Karmakar, son of Late Sudha Karmakar of Vill & P.O.- Sowain, P.S.- Budbud, District -Purba Burdwan, Pin- 713148, (vii) Jeevan Kumar Mukherjee, son of Late Satya



Narayan Mukherjee of Vill & P.O.- Sowain, P.S.- Budbud, District - Purba Burdwan, Pin-713148; (viii) Gadhadar Khumbhakar, son of Haradhan Kumbhakar of Vill & P.O.- Sowain, P.S.- Budbud, District - Purba Burdwan, Pin-713148 (ix) Sankar Bagdi, son of Not known of Vill- Pondali, P.O. - Sowain, P.S.- Budbud, District -Purba Burdwan, Pin-713148; (x) Dayamoy Bagdi, son of Not known of Vill- Pondali, P.O. - Sowain, P.S.- Budbud, District -Purba Burdwan, Pin-713148; (xi) Bistu Bagdi, son of Not known of Vill- Pondali, P.O. - Sowain, P.S.- Budbud, District -Purba Burdwan, Pin-713148 .

vide W.P.A. No.14354 of 2024 (Dilip Kumar Roy Vs. The Range Officer and ors.) which is running in the list dated 10.06.2024 Item No.1412 before the Hon'ble Justice Joy Sengupta and thereafter matter appear in the list dated 01.07.2024 being Item No.1369.

19. That the applicant also informed the respondent no.1 to 10 through his letter dated 06.05.2024 in connection with the illegal cutting of more than 500 trees of Mehaguni Species in the campus of respondent no.11, being Panagarh Cold Storage Private Limited, by the respondent



no.12 to 22, but till date no legal steps has been taken by them.

Photo copy of the said letter dated 06.05.2024 is annexed hereto and marked with annexure "P-8".

20. That the applicant states that the Officer-in-Charge Budbud Police Station lodged FIR being FIR No.50/24 dated 19/05/24 against the respondent nos.12 to 22 namely (i) Parijat Roy, (ii) Mita Roy, (iii) Tanmoy Roy, (iv) Sayan Roy @ Subha Roy and (v) Rahul Roy all (i) to (v) residing at NRR Sarani, P.S. Asansol (south), District Puschim Burdwan - Pin No. 713301 (vi) Somnath Karmakar, son of Late Sudha Karmakar (vii) Jeevan Kumar Mukherjee, son of Late Satya Narayan Mukherjee (viii) Gadhadar Khumbhakar, son of Haradhan Kumbhakar, No.(vi) to (viii) residing at Vill & P.O.- Sowain, P.S.- Budbud, District - Purba Burdwan, Pin-713148 (ix) Sankar Bagdi, son of Not known of Vill- Pondali, P.O. -Sowain, P.S.- Budbud, District -Purba Burdwan, Pin-713148; (x) Dayamoy Bagdi, son of Not known of Vill- Pondali, P.O. - Sowain, P.S.- Budbud, District -Purba Burdwan, Pin-713148; (xi) Bistu Bagdi, son of Not known of Vill- Pondali, P.O. - Sowain, P.S.- Budbud, District -Purba Burdwan, Pin-713148 U/s. 447/379/34 Indian Penal Code wherein the applicant already complied the provisions U/s. 91 Cr.P.C. by submitting the documents related to the respondent no.11 company on 25.05.2024.



Xerox copy of FIR dated 19.05.2024 and compliance under section 91 Cr. P.C. dated 25.05.2024 are annexed hereto collectively marked as "P-9";

21. That the applicant states that the applicant stating the following facts and circumstances for your deeply consideration of illegal cutting of the trees more than 500 in the campus of Panagarh cold storage private limited being the respondent no.11 herein on 2<sup>nd</sup> May, 2024 and immediately take necessary legal action against those persons who are involved in this matter.
22. The applicant's house is situated in the vicinity of the cold storage which is rampantly polluted as a result of cutting of the said trees and plants by the respondent nos.12 to 22 in connivance of district officials, the resultant effect of such air pollution which deteriorating health of the residents of the area and also the untimely may be death of animals, birds, etc. situating nearby the area.

23. The applicant states that due to the illegal cutting of large numbers of trees by the respondent no.12 to 22 aggregating to 500 trees of Mehaguni Species with the help of anti socials elements in the said area and district, This act of deforestation is tampering with the peaceful environment of fresh Air.
24. That the applicant states that said trees were planted near National Highway No.2 and the dust arising out of the vehicles ply thereon polluted the area and the trees in the campus of respondent no.11 being Panagarh Cold Storage Private Limited used to obstruct these dust. Due to trees, the locality was free from pollution.
25. That the applicant states that quality of air in the vicinity as well as in locality affected too much, for which nearby locality and other plantation suffers at large.
26. That the applicant states that cutting of 500 trees more or less by the respondent nos.12 to 22 is a cognizable offence and liable to be punished.
27. That Applicant states that respondent nos.12 to 22 cannot be overlooked, the terms of environment ecology.



There are numerous dimensions involved while identifying the area. The notification under the Environment (Protection) Act 1986 prohibiting any illegal cutting of trees on the large scale at a time in the active area which reduce sources of pollution, pressure on earth and to maintain its natural tree pollution recharging properties.

28. That the applicant states that despite commission of such illegal acts, the respondent authorities have preferred to sit tight over the matter and in effect have recognised and acknowledged such illegality. Such lackadaisical attitude on the part of the respondent authorities is highly illegal. Such stoic silence on their part to prevent the plant area from being polluted, clearly smacks of malafide. It is not only astounding but also beyond comprehension as to how such illegal act of pollution of area has been perpetrated in front the eyes of the respondent authorities.

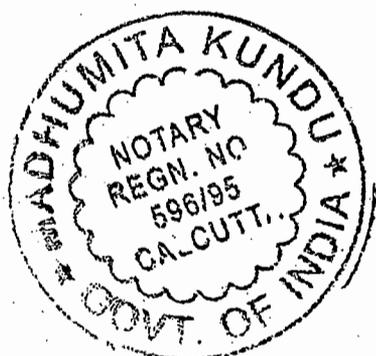
29. That your applicant through his letter dated 13.05.2024 to the respondent no.8, 9 and 10 regarding the incident



requesting them to lodge FIR against the respondent nos.12 to 22 and also informed them that this letter dated 13.05.2024 shall treat as "DEMAND OF JUSTICE" and the said Demand of Justice sent through speed post and the same has been duly delivered upon them, but no response and or steps have taken by the authorities concern.

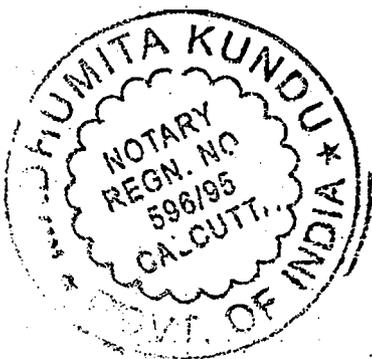
**V. Grounds:**

- I. FOR THAT the respondent authorities have miserably failed to preserve the trees of the area and prevent by illegal encroachment of trees;
- II. FOR THAT the respondent authorities have failed to appreciate that it was incumbent upon them to protect and maintain the trees as it is the main source of free pollution of the residents;
- III. FOR THAT the respondent authorities ought to have appreciated the environmental and socio- economic significance of the area and protect the same from being



illegally encroached, cut and sold more than 500 trees of Mehaguni Species.

- IV. FOR THAT the respondent authorities ought to have taken adequate measures for preventing pollution of the area and encroachment of the plains which is High Biodiversity Rich Zone.
- V. FOR THAT the respondent authorities have failed to appreciate that the illegal act of encroaching the plain of the area is in flagrant violation of the Environment (Protection) Act, 1986 The West Bengal Trees (Protection and Conservation in Non-Forest Areas ) Act, 2006 and the rules framed and the rules framed thereunder;
- VI. FOR THAT the respondent authorities have failed to appreciate that such pollution of the area measures contemplated in the Environment (Protection) Act, 1986 , section 21 and 22 of Air (Prevention and Control of Pollution) Act, 1981 and the rules framed thereunder and

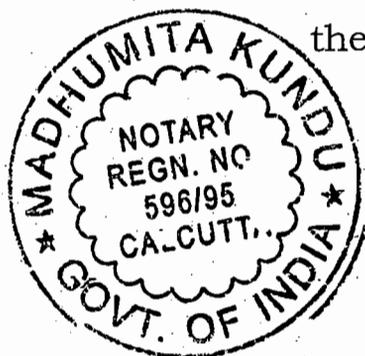


section 2-5 of the Water (Prevention and Control of Pollution) Act, 1974 and the rules framed thereunder;

VII. FOR THAT by remaining inactive and maintaining stoic silence with regard to the illegal encroachment of the trees by the respondent nos. 12 to 22, the respondent authorities have, in effect, abated such illegality and have made themselves liable to be proceeded against for such blatant defiance of the relevant provisions contemplated in the Environment (Protection) Act, 1986 and Air (Prevention Control Pollution) Act, 1981, The West Bengal Trees (Protection and Conservation in Non-Forest Areas ) Act, 2006 and the rules framed thereunder;

VIII. FOR THAT by allowing the encroachment of the area, the respondent authorities have acted in grave violation of their statutory duties;

IX. FOR THAT the absolute lackadaisical attitude demonstrated by the respondent authorities in protecting the trees, smacks of malafide attitude on their part;



- X. FOR THAT the inaction of the respondent authorities in preferring to sit tight over the matter, despite commission of such illegal act of pollution in the area endangering the health of the residents and the life of the plants in effect, recognizes and acknowledges such illegality;
- XI. FOR THAT the inaction on the part of the respondent authorities in failing to prevent the encroachment of the smoothness of such area and protection of the almost endangered species of tree calls for immediate and strict intervention of this Hon'ble Tribunal;
- XII. FOR THAT the inaction on the part of the respondent authorities to prevent pollution of the area, which is the source of life, is otherwise bad, illegal and cannot sustain the test of legality;

**CAUSE OF ACTION :** Cause of action for this application arose on 02.04.2024, when the respondents nos. 12 to 22 started cutting of trees and day to day at the local, premises of Panagarh Cold Storage Private



Limited lying in situate at G.T. Road, under mouza Dharala, Ausgram, Block-2, under Kota Gram Panchayat, P.S. Budbud, District PurbaBurdwan-pin 713403 which is within the jurisdiction of the National Green Tribunal, Eastern Zone Bench, Kolkata, West Bengal, Finance Centre, 3<sup>rd</sup> Floor, New Town, Kolkata-700156.

**VI. LIMITATION:**

The applicant declares that the cause of action in the instant case, accrues and continues from day-to-day. Such cause of action is renewing on a day-to-day basis as such the question of applicability of the limitation prescribed in Section 14(3) of the national Green Tribunal Act, 2010 does not arise.

**VII. Interim prayer:**

Pending final disposal of the application the applicant seeks issuance of the following interim orders:

- a) An interim order of injunction directing the respondent nos.1 to 10 and/or their servants and/or their



employees and/or their agents to take adequate measures for protecting the trees and plant from being encroached by the private respondents in particularly respondent nos.12 to 22 and save green natural for the interest of the peoples in our state as well as country and in any manner whatsoever, till the disposal of the instant application;

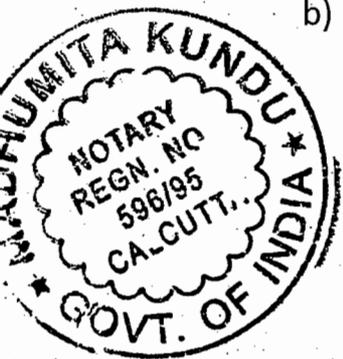
b) Ad-interim order in terms of prayers (a) as above.

VIII. In view of the facts mentioned in paragraphs 9 & 10

above the applicant prays for the following reliefs:

a) Mandatory order do issue commanding the respondents each one of them and their men, agents, assigns and subordinates to certify and transmit to this Hon'ble Tribunal all records forming the basis of their inaction regarding to take adequate measures for protecting and preserving the said trees and plants from being encroached by and dumping of wooden chips, so that conscionable justice may be rendered;

b) Direct the respondents each one of them and their men, agents, assigns and subordinates to take adequate



measures to stop pollution and encroaching the plains and bed by dumping wood. by respondent no.12 to 22.

- c) Mandatory order do issue commanding the respondents each one of them and their men, agents, assigns and subordinates to take steps to protect the almost endangered

§ plants and trees like Mehaguni species

- d) Directing the respondent nos.12 to 22 to plant new trees aggregating to 5 times i.e. 2500 trees from their own costs and expenses within stipulated period of time.

- e) Directing the respondent nos.12 to 22 to pay an environmental compensation being cost of the more than 500 trees of Mehaguni Species.

- f) Directing the appropriate authority to take cognizance against the respondent nos.12 to 22.

- g) Any other appropriate direction/directions and/or order/orders as this Hon'ble Tribunal may deem fit and proper;

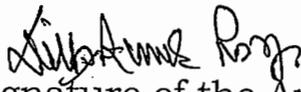
- h) Cost of and/or incidental to the instant application;



## VERIFICATION

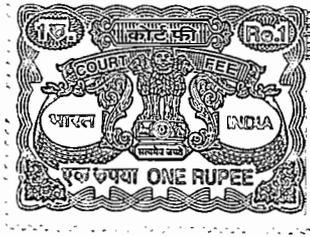
I, Dilip Kumar Roy, S/o. Late Nepal Chandra Roy, aged about 63 years, by faith Hindu, by occupation Business, resident of BARADA BHABAN, Old G.T. Road, Near Panagarh Bazar, P.O.-Panagar Bazar, P.S.- Kanksa, Dist.- PaschimBurdwan, Pin-713148, do hereby verify that all the paragraphs of this application are true to the best of my knowledge and belief.

I sign this verification on this 21<sup>st</sup> day of June, 2024 at the Court premises.

  
Signature of the Applicant

  
Advocate





~~9/24~~

## AFFIDAVIT

I, Dilip Kumar Roy, S/o. Late Nepal Chandra Roy, aged about 63 years, by faith Hindu, by occupation Business, resident of BARADA BHABAN, Old G.T. Road, Near Panagarh Bazar, P.O.-Panagar Bazar, P.S.- Kanksa, Dist.- PaschimBurdwan, Pin-713148, do hereby solemnly affirm and state as follows:

1. That I am the applicant in the instant case and as such, I am well conversant with the facts and circumstances of the case.
2. That the statements made in paragraph 1 to 22 are true to my knowledge and rests paragraphs including Grounds are my respectful submissions before this Hon'ble Tribunal.

Prepared in my office

*Suresh Basad Saha*

Advocate

Enrolment No. WB/957/1988

*Dilip Kumar Roy*  
DEPONENT



SOLEMNLY AFFIRMED & DECLARED  
BEFORE ME ON IDENTIFICATION

*21/6/2024*  
MADHUMITA KUNDU  
NOTARY  
Regn. No. 596/95  
Govt of INDIA

21 JUN 2024



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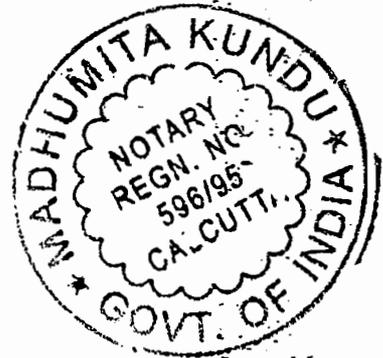
Page No 2

both are permanent resident of 27, Ashbury Park, Baghat, P.O. P.S. Moga in the Dist of Hooghly, Pin-722148 and presently residing at 58/1, Katabar Road, P.S. Banta P.O. Hooghly-721001, by occupation Business, by religion Hindu hereto after referred to as the Party of the Second Part.

AND WHEREAS THE PARTY OF THE FIRST PART is the rightful owner of the assets i.e. one cold storage/ Jhingar constructed on a plot of land total addressing an area of approx 13 Bigha 45 Kathas or 4.375 Acres, along with Plant & Machinery & other living and non living properties belonging in the name of said cold storage. Said the same situate more or less situated and lying along at Pondali 25 acres, at rowal 12 1/2 acres and at Dhan 1.55 acres under P.S. - Bodbud, Dist. - Burdwan and more fully described in the Schedule A attached herewith.

AND WHEREAS THE PARTY OF THE FIRST PART hereto is represented by the Board of Directors comprising of three persons namely

- 1) PARIJATROY  
S/O KATIPAIK CH. ROY,  
ASANSOL,  
VILLAGE-UPARPARA  
P.O.-ASANSOL  
DIST-BURDWAN  
PIN-713001
- 2) ANITA ROY  
W/O PARIJATROY  
ASANSOL,  
VILLAGE-UPARPARA  
P.O.-ASANSOL  
DIST-BURDWAN  
PIN-713001
- 3) TANU ROY  
S/O KATIPAIK CH ROY  
ASANSOL,  
VILLAGE-UPARPARA  
P.O.-ASANSOL  
DIST-BURDWAN  
PIN-713001



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Page No 3  
AND

All the Shareholders including the above mentioned persons namely

- 1) Smt Pampa Roy w/o Smt Tannay Roy Residing at Village Uparpara, P.O. Asansol, Dist Burdwan 2) Late Bhreshna Roy w/o Late Fakir Chandra Roy Residing at Village Uparpara, P.O. Asansol, Dist Burdwan represented by legal heirs namely a) Smt Parjat Roy S/O Late Fakir Ch Roy b) Smt Tannay Roy S/O Late Fakir Ch Roy c) Smt Debjan Roy W/O Smt Ashok Roy, D/O Late Fakir Ch Roy 3) Smt Gopal Roy S/O Late Nityanada Roy residing at Village Uparpara, P.O. Asansol, Dist Burdwan 4) Smt Sudipa Roy S/O Smt Santosh Roy residing at Village Uparpara, P.O. Asansol, Dist Burdwan 5) Smt Santosh Roy S/O Late Paramanandan Roy residing at Village Uparpara, P.O. Asansol, Dist Burdwan 6) Smt Rahat Roy S/O Smt Santosh Roy residing at Village Uparpara, P.O. Asansol, Dist Burdwan all by Occupation Business and by Religion Hindu heretofore referred to as shareholder of the said cold storage

And have been engaged in the said cold storage business and these three Directors are empowered as per Resolution dated 09/04/2012 of the Extra Ordinary General meeting of the said Company to make this MOU with the Party of the Second Part here in.

AND WHEREAS THE PARTY OF THE FIRST PART herein have agreed to transfer its 100% (Hundred percent) shares in favour of the Parties of the Second Part herein at an agreed amount of Rs. 8,00,00,000/- (Rupees Eight Crore) only, the debt amount which is pending with SBI Gald Branch La Rs. 7,14,72,207-00 (Rupees Seven Crore Fourteen Lac Forty Seven Thousand Two hundred and Seven ) Only and other outstanding liabilities which has been disclosed by the Directors will be deducted from the aforesaid consideration price and the amount has been agreed upon between the two parties at Rs. 73,30,000-00 ( Rounded Off ) i.e. Rs Seventy Three Lac thirty Thousand) out of (Rs. 8,00,00,000-00 - Rs. 7,14,72,207-00 ) = Rs. 73,32,925-00, and the amount of Rs. 73,30,000/- will be distributed among all the shareholders proportionately.



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Party 1 Party 2





Handwritten signatures and names in vertical script, including 'Pradyumn Chandra', 'Mitha Roy', and 'Sudhakar Prasad'.

AND WHEREAS the Party of the First Part hereby assumes and undertakes and more comprehensively makes itself bound to respond all the requests of the Second Party for proper and timely performance of the obligations created hereinafter.

AND WHEREAS both the Parties has been agreed that Management of the said cold storage along with all the properties scheduled below will absolutely in the control of the party of second part from the date of agreement. All Parties agreed to co-operate in future in every respect.

That the statements made above are true and correct to the best of our knowledge and belief.

SCHEDULE "A"  
DETAILS OF PROPERTY

- 1.) District & Sub-Registry Office Burdwan Additional Sub Registry Office At Mankar Mouza Pondali, JL No Old 77 And New 21 Under P.S Burdwan R.S Khathyan No 294, ER Khathyan No 1379, Dag No 2715 Admeasuring Area 0.25 Acre or 25 Satak Previous nature of land Salt No. Himghat.
- 2.) District & Sub Registry Office Burdwan Additional Sub Registry Office At Mankar Mouza Sowala, JL No Old 73 And New 6 Under P.S Burdwan, Khathyan No Old 1098, 1097 New 1389, Dag No 2789, Himghat admeasuring 1.24 Acre or 1 Acre and 24 Satak.
- 3.) District & Sub Registry Office Burdwan Additional Sub Registry Office At Mankar Mouza Sowala, JL No Old 73 And New 6 Under P.S Burdwan, Khathyan No Old 1098, 1097 New 1389 Dag No 2789/2800 Himghat admeasuring landed property 0.60 Acre or 60 Satak.
- 4.) District & Sub Registry Office Burdwan Additional Sub Registry Office At Mankar Mouza Dharta, JL No Old 78 And New 22 Under P.S Burdwan, Mouza Dharta, R.S Khathyan 329, ER Khathyan No 608, R.S Dag no 27/320, ER Dag No 24, admeasuring 33 Satak.



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5) District & Sub Registry Office Burdwan Additional Sub Registry Office  
At Manik Motia Dharla JI No Old 78 And New 22 Under PS Burbud,  
Motia Dharla, Khaliyan No R.S. 113 XI, L.R No 608, R.S. Dag No 17, L.R No  
25, admeasuring area 1.09 Acre or 1 Acre 9 Satak Nature of Land Sale

6) District & Sub Registry Office Burdwan Additional Sub Registry Office  
At Manik Motia Dharla JI No Old 78 And New 22 Under PS Burbud, L.R  
Khaliyan No 608, R.S. Dag No 15, L.R Dag No 23, admeasuring area of land  
0.53 Acre or 53 Satak Nature of Land Sale

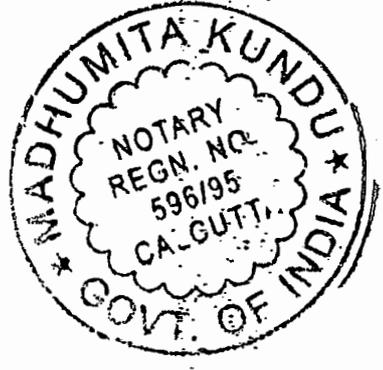
7) District & Sub Registry Office Burdwan Additional Sub Registry Office  
At Manik, P.S - Burbud, Motia Dharla JI No. Old 78 And New 22 R.S  
Khaliyan No. 86, Dag No. 16 admeasuring landed property 15 Satak,  
Nature of Land Sale.

8) District & Sub Registry Office Burdwan Additional Sub Registry Office  
At Manik, P.S - Burbud, Motia Dharla JI No. Old 78 And New 22 under  
Khaliyan No. 7, R.S. Dag No. 15, Area of land 165 Satak, Nature of land old  
pond/new danga

The above mentioned landed property along with Cold Storage/Hinghar  
Constructed or under construction, plant and machineries, living and non-  
living assets, stock and materials and all other properties and assets with  
Elements and transferable rights.

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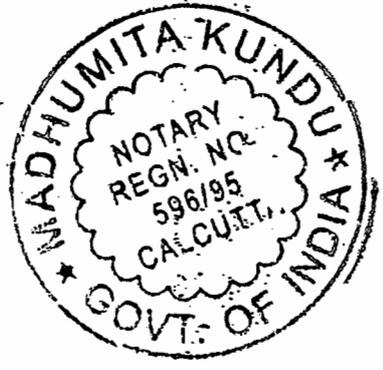


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**SCHEDULE B**

**DETAILS OF PAYMENT**

1. SUMANGAL HINGHAR PRIVATE LIMITED, paid Mr. Parjat Roy amounting to Rs. 43,99,921/- (Rupees Forty Three Lac Ninty Eight Thousand Nine Hundred Twenty One only) vide demand draft no. 718089 dated 18.04.2012 drawn on State Bank of India, Chowringhee Branch against sale of 3,28,600 shares of PANAGARH GOLD STORAGE PRIVATE LIMITED.
2. SUMANGAL HINGHAR PRIVATE LIMITED paid Smt. Mita Roy amounting to Rs. 14,66,507/- (Rupees Fourteen Lac Sixty Six Thousand Three Hundred Seven only) vide demand draft no. 718088 dated 18.04.2012 drawn on State Bank of India, Chowringhee Branch against sale of 1,75,000 shares of PANAGARH GOLD STORAGE PRIVATE LIMITED.
3. SUMANGAL HINGHAR PRIVATE LIMITED paid Mrs. Tanmoy Roy amounting to Rs. 14,53,772/- (Rupees Fourteen Lac Fifty Eight Thousand Seven Hundred Seventy Two only) vide demand draft no. 718080 dated 18.04.2012 drawn on State Bank of India, Chowringhee Branch against sale of 3,20,000 shares of PANAGARH GOLD STORAGE PRIVATE LIMITED.
4. SUMANGAL HINGHAR PRIVATE LIMITED paid to legal heirs of late Bireswar Roy amounting to Rs. 1,00,000/- (Rupees One Thousand only) vide demand draft no. 718085 dated 18.04.2012 drawn on State Bank of India, Chowringhee Branch against sale of 50,750 shares of PANAGARH GOLD STORAGE PRIVATE LIMITED.



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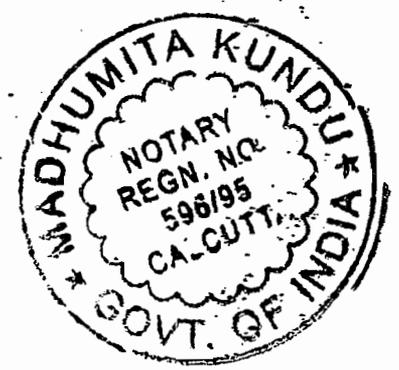
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Smt. Pampa Roy  
Mr. Santosh Roy  
Mr. Gopal Roy  
Mr. Rajul Roy  
Mr. Subrata Adhikary

- 5. SUMANGAL HIMGHAR PRIVATE LIMITED paid Mr. Gopal Roy amounting to Rs. 1,000/- (Rupees One Thousand only) vide demand draft no: 718083 dated 18.04.2012 drawn on State Bank of India, Chowringhee Branch against sale of 25,750 shares of PANAGARH GOLD STORAGE PRIVATE LIMITED.
- 6. SUMANGAL HIMGHAR PRIVATE LIMITED paid Mr. Sunita Roy amounting to Rs. 1,000/- (Rupees One Thousand only) vide demand draft no: 718084 dated 18.04.2012 drawn on State Bank of India, Chowringhee Branch against sale of 25,750 shares of PANAGARH GOLD STORAGE PRIVATE LIMITED.
- 7. SUMANGAL HIMGHAR PRIVATE LIMITED paid Mr. Rajul Roy amounting to Rs. 1,000/- (Rupees One Thousand only) vide demand draft no: 718082 dated 18.04.2012 drawn on State Bank of India, Chowringhee Branch against sale of 3,500 shares of PANAGARH GOLD STORAGE PRIVATE LIMITED.
- 8. Mr. SUBRATA ADHIKARY paid Mr. Santosh Roy amounting to Rs. 1,000/- (Rupees One Thousand only) vide demand draft no: 718087 dated 18.04.2012 drawn on State Bank of India, Chowringhee Branch against sale of 3,500 shares of PANAGARH GOLD STORAGE PRIVATE LIMITED.
- 9. Smt. MADHUMITA ADHIKARY paid Smt. Pampa Roy amounting to Rs. 1,000/- (Rupees One Thousand only) vide demand draft no: 718085 dated 18.04.2012 drawn on State Bank of India, Chowringhee Branch against sale of 1,29,750 shares of PANAGARH GOLD STORAGE PRIVATE LIMITED.



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Page No. 3

Read and sealed in presence of  
people and witnesses to the day  
mentioned and certified above

Witness

Basanta Prasad

Basanta Prasad  
(WITNESS)

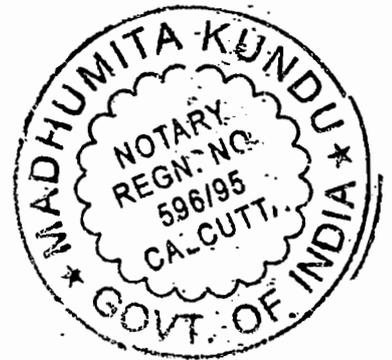
Basanta Prasad

\_\_\_\_\_

Basanta Prasad

Basanta Prasad  
(WITNESS)  
Basanta Prasad  
(WITNESS)

Hita Ray  
(WITNESS)



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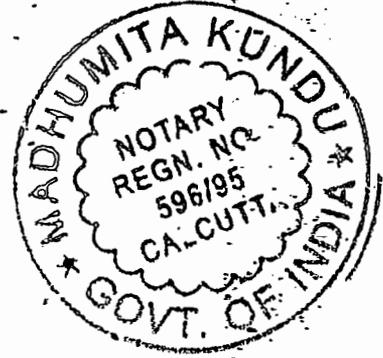
Witness

1. Sudhakar Singh  
(DIRECTOR)  
(PARTY OF THE SECOND PARTY)

1. Ashir kumar Singh  
witness for  
Kot-1

2. [Signature] witness for  
NAYSIDE APARTMENT  
25, Sahaib Park, KOL-70

2. [Signature]  
(DIRECTOR)  
(PARTY OF THE SECOND PARTY)



Signed in my presence and identified by me.

[Signature]  
Advocate  
[Signature]  
Advocate

CERTIFIED TRUE COPY  
[Signature]

CERTIFIED TRUE COPY  
[Signature]

Type copy of Memorandum of Understanding  
dated 1<sup>st</sup> day of April, 2012

MEMORANDUM OF UNDERSTANDING

THIS MEMORANDUM OF UNDERSTANDING referred to herein below as MOU is held on 1<sup>st</sup> day of April, 2012 between (1) Sree Parijat Roy son of Late Fatik Roy (2) Smt. Mita Roy w/o. Sree Parijat Roy (3) Sree Tanmoy Roy s/o. Late Fatik Chandra Roy all residing at Uperpara, P.O. Asansol, Dist. Burdwan, Pin - 713301, all Directors of PANAGARH COLD STORAGE PVT. LTD. having its registered office at K.C. Banerjee Lane (Ghat Side) Asansol - 713301 incorporated under the Registrar of Companies at Kolkata its CIF No. .... and cold storage at Poddar Road, (Near Railway Bridge) Panagarh Bazar, G.T. Road, Panagarh, Burdwan, hereinafter referred to as the party of the First Part.

AND

1) M/s. Sumangal Himghar Pvt. Ltd. having its Registered office at Chatterjee International Centre, 33A, Jawaharlal Nehru Road, Calcutta-700071, Sd Subrata Adhikary & Smt. Smt. Madhumita Adhikary.



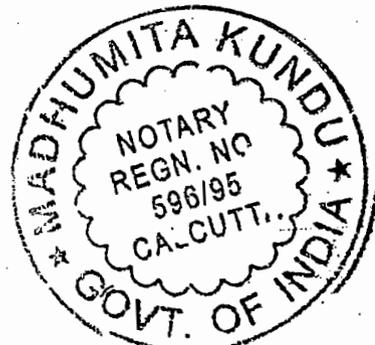
2) Mr. Subrata Adhikary s/o. Sree Gopal Chandra Adhikary

3) Smt. Madhumita Adhikary w/o. Sree Subrata Adhikary

both are permanent residing at 27, Adhikary Para, Bagati, P.O. & P.S. Mogra in the Dist. of Hooghly, Pin-712148 and presently residing at 58/1, Natabarlal Road, P.S. Bantra, P.O. Howrah - 711101, by occupation Business, by religion Hindu hereinafter referred to as the Party of the Second Part.

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AND WHEREAS THE PARTY OF THE FIRST PARTS is the rightful owner of the assets i.e. one cold storage/ Himghar constructed of a plot of land total admeasuring an area of approx 13 Bigha 45 Kattahs or 4375 Acres, alongwith Plant & Machinery & other living and non living properties belonging in the name of said Cold storage. Be the same a little more or less situated and lying Mouza at Pandil 25 Acres at 1.18 Acres and at Dhaba 155 Acres under P.S. Budbud, Dist. Burdwan and morefully described in the Schedule "A" attached herewith.



AND WHEREAS THE PARTY OF THE FIRST PART herein  
is represented by the Board of Directors comprising of three  
persons namely :

1) PARIJAT ROY  
S/O. LATE FATIK CH. ROY  
ASANSOL  
VILLAGE-UPARPARA  
P.O. ASANSOL  
DIST. BURDWAN  
PIN - 713301

2) MITA ROY  
W/O. PARIJAT ROY  
ASANSOL  
VILLAGE-UPARPARA  
P.O. ASANSOL  
DIST. BURDWAN  
PIN - 713301



3) TANMOY ROY

S/O. LATE FATIK CH. ROY

ASANSOL

VILLAGE-UPARPARA

P.O. ASANSOL

DIST. BURDWAN

PIN - 713301

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And

All the share holders including the abovementioned persons  
namely-

- 1) Smt. Pampa Roy w/o. Sree Tanmay Roy residing at Village Uparpara, P.O. Asansol, Dist. Burdwan (2) Late Bireshwar Roy s/o. Late Fatik Chandra Roy, Residing at Village Uparpara, P.O. Asansol, Dist. Burdwan, represented by legal heirs namely (a) Sree Parijat Roy s/o. Late Fatik ch. Roy (b) Sree Tanmay Roy s/o. Late Fatik Ch. Roy (c) Smt. Debjani Roy w/o. Sree Ashok Roy D/o. Late Fatik Ch. Roy (3) Sree Gopal Roy s/o. Late Nityananda Roy residing at Village



Uparpara, P.O. Asansol, Dist. Burdwan, (4) Sree Sudipta Roy s/o. Sree Santosh Roy residing at Village Uparpara, P.O. Asansol, Dist. Burdwan (5) Sree Santosh Roy s/o. Late Paramanandan Roy residing at Village Uparpara, P.O. Asansol, Dist. Burdwan, (6) Sree Rahul Roy s/o. Sree Santosh Roy, residing at Village Uparpara, P.O. Asansol, Dist. Burdwan all by occupation Business and by Religion Hindu, hereinafter referred to as the shareholder of the said cold storage.

And have been engaged in the said cold storage business and these three Directors are empowered as per Resolution Dated 09.04.2012 of the Extra Ordinary General Meeting of the said Company to make this MOU with the party of the Second Part herein.

AND WHEREAS THE PARTY OF THE FIRST PART herein have agreed to transfer its 100% (Hundred percent) shares in favour of the Parties of the Second Part herein at an agreed amount



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of Rs.8,00,00,000/- (Rupees eight crore) only, the debt amount which is pending with SBI Galsi Branch i.e. Rs.7,14,47,207.00 ( Rupees seven crore fourteen lakhs forty seven thousand two hundred seven) only and other outstanding liabilities which has been disclosed by the Directors will be deducted from the aforesaid consideration amount and the amount has been agreed upon between the two parties as Rs.73,30,000.00 (Rupees Seventy three lakhs thirty thousand) net of (Rs.8,00,00,000 Rs.7,14,47,207.00 Rs.12,20,663.00 = Rs.73,32,125.00 and the amount of Rs.73,30,000/- will be distributed among all the share holders proportionately.

Page - 4

AND WHEREAS the parties of the second Part herein agreed to refund Income Tax amount and both parties also agreed to deduct any other liabilities and nor deducted or calculated now i.e. at the time of execution of this agreement excluding the debt amount which is pending this SBI Galsi Branch i.e. Rs.7,14,47,207.00 (Rupees seven crore fourteen lac forty



seven thousand two hundred and seven) only and outstanding provident fund around Rs.9,67,848/- (Rupees nine lakh sixty seven thousand eight hundred forty eight ) only and other charges mentioned hereinafter.

AND WHEREAS the parties of the Second Part herein agreed to repay the Debt to State Bank of India Galsi Branch, Burdwan and release the collateral securities of the party of the first part approximately within 45 (forty five) days from the date of this agreement.

AND WHEREAS SECOND PARTY of this agreement will take all the liabilities arising after the date of executing of this agreement /Date of effect of this Agreement and no other liabilities present or past will be accepted by the Second Party, except the debt of SBI Galsi Branch amounting to Rs.7,14,47,207.00.



AND WHEREAS parties of the first part of this agreement is agreed to appoint Mr. Subrata Adhikary and Smt. Madhumita Adhikary i.e. Parties of the second part of this agreement as the Director of this cold storage and handed over 100% (cent percent) controlling and/or managing and/or supervising power over the management of all the properties of this cold storage.

AND WHEREAS the related persons belonging to the party of the First Part will sign and render their resignation letter from the post of Directors there ever applicable and sign/ discharge the shares documents and all other related documents and papers in favour of the persons belonging to the party of the Second Part right away on receiving the payments as per schedule II.

AND WHEREAS the party of the First Part shall stand by the liabilities shown in the latest Balance sheet while transferring the company. The second part shall not entertain



any liability other than secured loan with Bank as afore stated coming out beyond the stated and herein after transfer of the company and the party of the First Part shall be responsible for any settlement of the same.

Page - 5

AND WHEREAS the party of the First Part hereby assures and incapable and more comprehensively makes itself bound to respond all the requisite of the Second Party for proper and timely performance of the obligations crated hereto elsewhere.

AND WHEREAS both the parties has been agreed that Management of the said cold storage alongwith all the properties schedule below will automatically in the control of the party of second part from this date of agreement. All parties agreed to cooperate in future for every respect.

That the statements made above are true and correct as per our knowledge and belief.



SCHEDULE "A"

DETAILS OF PROPERTY

1) District Sub Registry office Burdwan Additional Sub Resitry office at Mankar Mouza Pondall, J.L. No. Old 77 and New 21 under P.S. Budbud R.S. Khatian No.294, L.R. Khatian No.1379, Dag No.2715 admeasuring Area 0.25 Acre of 25 Satak previous nature of land Sali Now Himghar.

2) District & Sub Registry office Burdwan Additional Sub Registry office At Mankar Mouza Sowain, J.L. No.Old 73 and New 6 under P.S. Budbud, Khatian No.Old 1098, 1097 New 1389, Dag No.2789, Himghar admeasuring 124 Acre or 1 Acre and 24 Satak.

3) District & Sub Registry office Burdwan Additional Sub Registry Office At Mankar Mouza Sowain, J.L. No.Old 73 And New 6 under P.S. Budbud, Khatian No.Old 1098, 1097 New



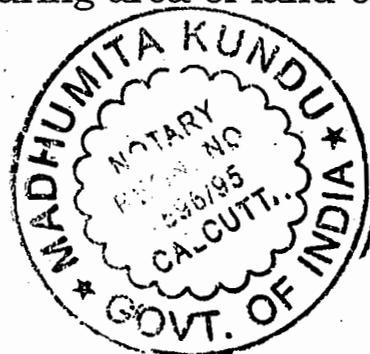
1389, Dag No.2789/2800, Himghar admeasuring landed property 0.60 Acre or 60 Satak.

4) District & Sub Registry office Burdwan Additional Sub Registry Office At Mankar Mouza Dharla, J.L. No.Old 78 And New 22 under P.S. Budbud, Mouza Dharla, R.S. Khatian No.329, L.R. Khatian No.608, R.S. Dag No.17/370, L.R. Dag No.24, admeasuring 33 Satak.

Page - 6

5) District & Sub Registry office Burdwan Additional Sub Registry Office At Mankar Mouza Dharla, J.L. No.Old 78 And New 22 under P.S. Budbud, Mouza Dharla, Khatian No.R.S. 113, Kh. L.R. No.608, R.S. Dag No.17, L.R. Dag No.25, admeasuring 1.09 Acre or 1 Acre 9 Satak Nature of land Sali.

6) District & Sub Registry office Burdwan Additional Sub Registry Office At Mankar Mouza Dharla, J.L. No.Old 78 And New 22 under P.S. Budbud, L.R. Khatian No.608, R.S. Dag No.16, L.R. Dag No.23, admeasuring area of land 0.53 Acre or 53 Satak Nature of land Sali.



7) District & Sub Registry office Burdwan Additional Sub Registry Office At Mankar, P.S. Budbud, Mouza Dharla, J.L. No.Old 78 And New 22 R.S. Khatian No.36, Dag No.16, admeasuring landed property 15 Satak Nature of land Sali.

8) District & Sub Registry office Burdwan Additional Sub Registry Office At Mankar, P.S. Budbud, Mouza Dharla, J.L. No.Old 78 And New 22 under Khatian No.7, R.S. Dag No.15, Area of land 165 Satak, Nature of land old pond now Danga.

The above mentioned landed property along with Cold storage/ Himghar Constructed or under construction, plant and machineries, living and non-living assets, stock and materials and all other properties and assets with enjoyment and transferable right.

Page - 7

SCHEDULE

DETAILS OF PAYMENT



1. SUMANGAL HIMGHAR PRIVATE LIMITED paid Mr. Parijat Roy amounting to Rs.43,98,921/- (Rupees Forty three lakhs Ninety eight thousand nine hundred twenty one ) only demand draft no.718889 dated 18.04.2012 drawn on State Bank of India, Chowringhee Branch, against sale of 3,28,000 shares of PANAGARH COLD STORAGE PRIVATE LIMITED.

2. SUMANGAL HIMGHAR PRIVATE LIMITED paid Smt. Mita Roy amounting to Rs.14,66,307/- (Rupees Fourteen lac sixty six thousand three hundred seven) only vide demand draft no.718088 dated 18.04.2012 drawn on State Bank of India, Chowringhee Branch, against sale of 1,75,000 shares of PANAGARH COLD STORAGE PRIVATE LIMITED.

3. SUMANGAL HIMGHAR PRIVATE LIMITED paid Mr. Tanmoy Roy amounting to Rs.14,58,772/- (Rupees Fourteen lac Fifty eight thousand seven hundred seventy two) only vide demand draft no.718090 dated 18.04.2012 drawn on State



Bank of India, Chowringhee Branch, against sale of 3,20,000 shares of PANAGARH COLD STORAGE PRIVATE LIMITED.

4. SUMANGAL HIMGHAR PRIVATE LIMITED paid to legal heirs of Late Bireswar Roy amounting to Rs.1000/- (Rupees one thousand) only vide demand draft no.718085 dated 18.04.2012 drawn on State Bank of India, Chowringhee Branch, against sale of 90,750 shares of PANAGARH COLD STORAGE PRIVATE LIMITED.

Page - 8

5. SUMANGAL HIMGHAR PRIVATE LIMITED paid Mr. Gopal Roy amounting to Rs.1000/- (Rupees one thousand) only vide demand draft no.718083 dated 18.04.2012 drawn on State Bank of India, Chowringhee Branch, against sale of 23,750 shares of PANAGARH COLD STORAGE PRIVATE LIMITED.

6. SUMANGAL HIMGHAR PRIVATE LIMITED paid Mr. Sudipta Roy amounting to Rs.1000/- (Rupees one thousand)



only vide demand draft no.718084 dated 18.04.2012 drawn on State Bank of India, Chowringhee Branch, against sale of 25,750 shares of PANAGARH COLD STORAGE PRIVATE LIMITED.

7. SUMANGAL HIMGHAR PRIVATE LIMITED paid Mr. Rahul Roy amounting to Rs.1000/- (Rupees one thousand) only vide demand draft no.718082 dated 18.04.2012 drawn on State Bank of India, Chowringhee Branch, against sale of 3,500 shares of PANAGARH COLD STORAGE PRIVATE LIMITED.

8. MR. SUBRATA ADHIKARY paid Mr. Santosh Roy amounting to Rs.1000/- (Rupees one thousand) only vide demand draft no.718087 dated 18.04.2012 drawn on State Bank of India, Chowringhee Branch, against sale of 3,500 shares of PANAGARH COLD STORAGE PRIVATE LIMITED.



9. SMT. MADHUMITA ADHIKARY paid Smt. Pampa Roy amounting to Rs.1000/- (Rupees one thousand) only vide demand draft no.718086 dated 18.04.2012 drawn on State Bank of India, Chowringhee Branch, against sale of 1,29,750 shares of PANAGARH COLD STORAGE PRIVATE LIMITED.

Page - 9

Signed and Sealed in presence of all parties and witnesses the day month and year stated above.

Witness :

1. Sd/- Parijat Roy

Sd/- Parijat Roy

2. Sd/- Rajen Ganguly

Party of the First Part

3. Sd/-

Sd/- Tanmoy Roy

4. Sd/-

Party of the First Part

Sd/- Mita Roy

Party of the First Part



Witness :

1. Sd/- Astir Roy Sd/-
2. Sd/- Jyotsna Roy Party of the Second Part  
Sd/-  
Party of the Second Part

Signed in my presence and Identified by me

Sd/- Soumen Ghosh

Advocate

DIVISION BENCH  
COURT - I

O-223

**NATIONAL COMPANY LAW TRIBUNAL  
KOLKATA BENCH  
KOLKATA**

CP/1279(KB)2018  
IVN.P/4(KB)2023, IVN.P/1(KB)2023,  
IVN.P/3(KB)2023, IVN.P/2(KB)2022,  
IVN.P/2(KB)2023, COMP.APPL/1284(KB)2020

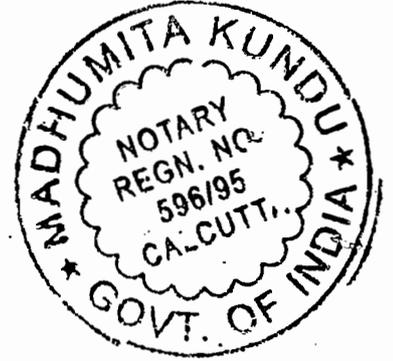
**CORAM: 1. HON'BLE MEMBER(J), SHRI ROHIT KAPOOR  
2. HON'BLE MEMBER(T), SHRI BALRAJ JOSHI**

**ATTENDANCE-CUM-ORDER SHEET OF THE HEARING ON 02<sup>ND</sup> MAY 2024**

IN THE MATTER OF	PARIJAT ROY & ORS. VS PANAGARH COLD STORAGE PVT. LTD. & ORS.
UNDER SECTION	SEC. 241(1) SEC. 242(4)

**Appearances (via video conferencing/physically)**

Mr. Rohit Kumar Keshri, Adv. : For Petitioners  
Mr. Ankit Chaurasia, Adv.  
Mr. S.K. Bhadury, Adv. : For Petitioner  
Mr. S.P. Shaw, Adv.



**ORDER**

1. Ld. Counsel for the petitioner present.
2. At request, matter is adjourned to 4/7/2024.

**Balraj Joshi  
Member (Technical)**

**Rohit Kapoor  
Member (Judicial)**

Annexure P-3

- 47 - 64 -

I

From :

Dilip Kumar Roy

S/o. Late Nepal Chandra Roy

BARADA BHABAN,

Old G.T. Road,

Near Panagarh Bazar,

P.O.- Panagar Bazar,

P.S.- Kanksa,

Dist.- Paschim Burdwan,

Pin-713148

Mobile : 7602413033

To

1. The Officer-In-Charge  
Budbud Police Station  
Purba Burdwan  
Pin-713403.

Date : 04.04.2024

2. The Range Officer  
Forest Department  
Govt. of West Bengal  
P.O.- Panagar Bazar,  
P.S.- Kanksa,  
Dist.- Paschim Burdwan,  
Pin-713148.



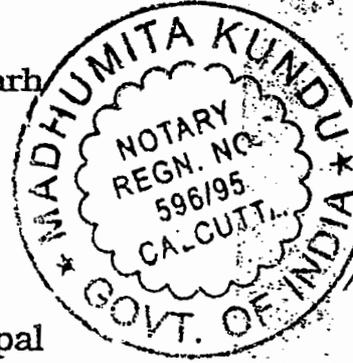
Sub : To lodge FIR against (i) Parijat Roy, son of Sri Fatik Roy of N.R.R. Sarani, Asansol, P.S.- Asansol (South), District - Paschim Burdwan, Pin-713301, Mobile No. 9474378830 and his men and agents who are involve in cutting of trees.

Received  
28/4/24  
Range Officer  
Panagarh Range  
05/04/24

Ref : Panagarh Cold Storage Private Limited lying and situate at G.T. Road. under Mouza-Dharala, Ausgram, Block-2. under Kota Gram Panchayat, Police Station - Budbud in the District of Purba Burdwan.

Place of Occurrence : In the campus of Panagarh Cold Storage Private Limited.

Date : 02.04.2024 and continue.



Dear Sir,

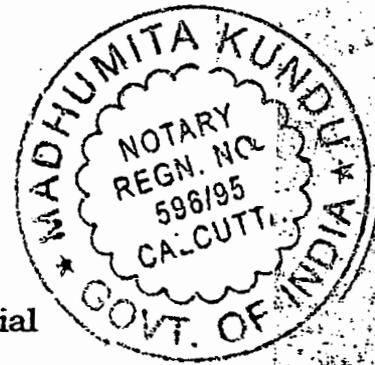
With due respect I, Dilip Kumar Roy, son of Late Nepal Chandra Roy of the abovementioned address write you as follows :-

- 1) That I am the largest share holder having 2,00,000 (Two Lakh) share of Panagarh Cold Storage Private Limited.
- 2) That Parijat Roy, Tanmoy Roy and Smt. Mita Roy by executing a Memorandum of understanding dated 19<sup>th</sup> day of April 2012 sold their entire shares to M/s. Sumangal Himghar Pvt. Ltd., Subrata Adhikary and Smt. Madhumita Adhikary. But the said cold storage is

still under wrongful possession of Parijat Roy and his men and agents.



- 3) That the said Parijat Roy alongwith other share holders filed an application before the Ld. National Company Law Tribunal, Kolkata Bench-I Vide Case No.CP No.1279/KB/2018 against the Subrata Adhikari & Ors. wherein I have already filed an Intervening Application being No.IVNA No.P/2(KB) of 2022 and contesting the same.
- 4) That the said Parijat Roy his men and agents are under illegal and wrongful possession of the Cold Storage and try to sale the assets and property of the said cold storage time to time unilaterally without resolution. The said Parijat Roy took permission from the Forest Department on 27.3.2024 for cutting of tree and sale the same. Upon taken permission the said Parijat Roy, his men, agents and staff started cutting 500 trees more



or less. The said Parijat Roy suppressed the material facts that he and his family members already sold their shares.

- 5) That the said Parijat Roy did not call a meeting of Directors and Shareholders, hence there is no resolution. Without resolution taken in the Board meeting Parijat Roy is not entitled to take any decision in the matter of cold storage. He has taken permission by suppressing the facts that several cases are pending.
- 6) That the said Parijat Roy, being illegal and wrongful occupant trying to destruct and/or alienate and/or sale the assets and property of the Cold storage for his wrongful gain by violating every law of land.

Under the facts and circumstances I request the Officer-in-Charge, Bud Bud Police Station to lodge F.I.R. against Parijat Roy, son of Sri Fatik Roy of N.R.R. Sarani, Asansol, P.S.-Asansol (South), District - Paschim Burdwan, Pin-713301,



Mobile No. 9474378830 and his men and agents and to take appropriate action against them and The Range Officer, Forest Department, Govt. of West Bengal, P.O:- Panagar Bazar, P.S.- Kanksa, Dist.- Paschim Burdwan, Pin-713148 to cancel permission with immediate effect.

Thanking you,

Yours faithfully,

*Dilip Kumar Roy*

(DILIP KUMAR ROY)

4:17 PM

Original Message

Original Message

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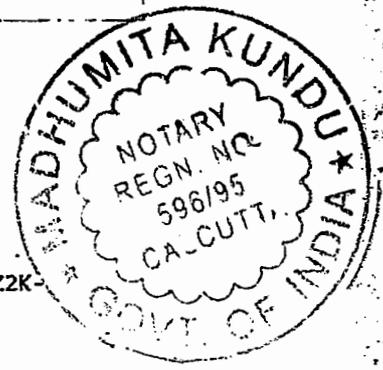
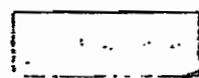
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From: Kartick Chandra Das <kchandradas200@gmail.com>

To: budbudpsadpc@gmail.com

Subject: From S.P. Shaw, Advocate

Download Original



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-70 -

- 33 -

Annexure P-4,

1

From :

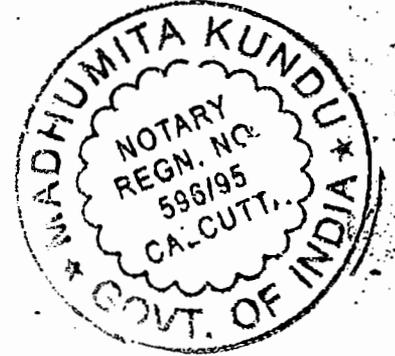
Dilip Kumar Roy  
S/o. Late Nepal Chandra Roy  
BARADA BHABAN,  
Old G.T. Road,  
Near Panagarh Bazar,  
P.O.- Panagar Bazar,  
P.S.- Kanksa,  
Dist.- Paschim Burdwan,  
Pin-713148  
Mobile : 7602413033

To

1. The Officer-In-Charge  
Budbud Police Station  
Purba Burdwan  
Pin-713403.

Date : 04.04.2024

2. The Range Officer  
Forest Department  
Govt. of West Bengal  
P.O.- Panagar Bazar,  
P.S.- Kanksa,  
Dist.- Paschim Burdwan,  
Pin-713148.



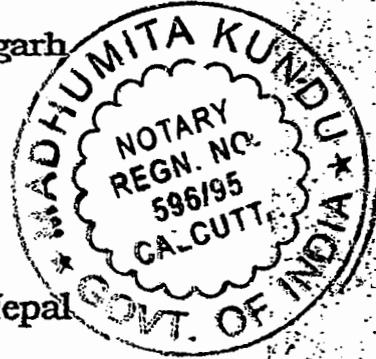
Sub : To lodge FIR against (i) Parijat Roy, son of Sri Fatik Roy of N.R.R. Sarani, Asansol, P.S.- Asansol (South), District - Paschim Burdwan, Pin-713301, Mobile No. 9474378830 and his men and agents who are involve in cutting of trees.

Received  
28/11/21  
Range Officer  
Panagarh Range

Ref : Panagarh Cold Storage Private Limited lying and situate at G.T. Road. under Mouza-Dharala, Ausgram, Block-2. under Kota Gram Panchayat, Police Station - Budbud in the District of Purba Burdwan.

Place of Occurrence : In the campus of Panagarh Cold Storage Private Limited.

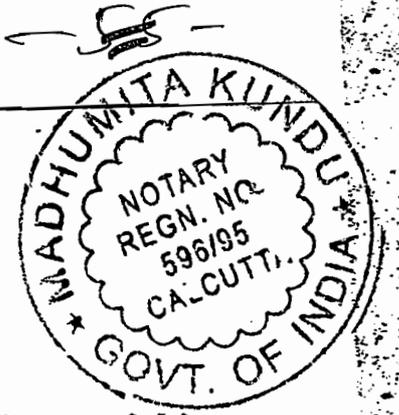
Date : 02.04.2024 and continue.



Dear Sir,

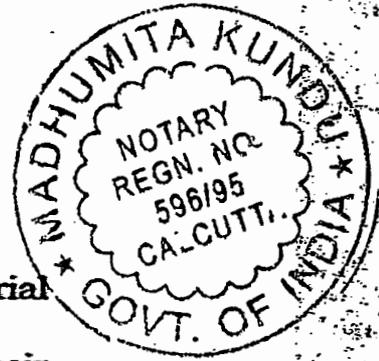
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- 1) That I am the largest share holder having 2,00,000 (Two Lakh) share of Panagarh Cold Storage Private Limited.
- 2) That Parijat Roy, Tanmoy Roy and Smt. Mita Roy by executing a Memorandum of understanding dated 19<sup>th</sup> day of April 2012 sold their entire shares to M/s. Sumangal Himghar Pvt. Ltd., Subrata Adhikary and Smt. Madhumita Adhikary. But the said cold storage is



still under wrongful possession of Parijat Roy and his men and agents.

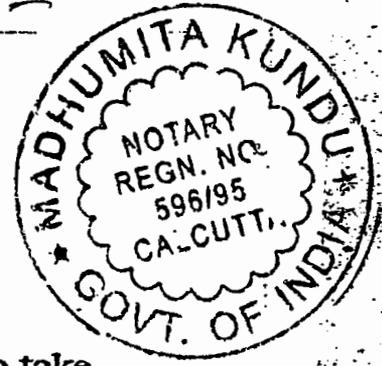
- 3) That the said Parijat Roy alongwith other share holders filed an application before the Ld. National Company Law Tribunal, Kolkata Bench-I Vide Case No.CP No.1279/KB/2018 against the Subrata Adhikari & Ors. wherein I have already filed an Intervening Application being No.IVNA No.P/2(KB) of 2022 and contesting the same.
- 4) That the said Parijat Roy his men and agents are under illegal and wrongful possession of the Cold Storage and try to sale the assets and property of the said cold storage time to time unilaterally without resolution. The said Parijat Roy took permission from the Forest Department on 27.3.2024 for cutting of tree and sale the same. Upon taken permission the said Parijat Roy, his men, agents and staff started cutting 500 trees more



or less. The said Parijat Roy suppressed the material facts that he and his family members already sold their shares.

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- 6) That the said Parijat Roy, being illegal and wrongful occupant trying to destruct and/or alienate and/or sale the assets and property of the Cold storage for his wrongful gain by violating every law of land.

Under the facts and circumstances I request the Officer-in-Charge, Bud Bud Police Station to lodge F.I.R. against Parijat Roy, son of Sri Fatik Roy of N.R.R. Sarani, Asansol, P.S.-Asansol (South), District - Paschim Burdwan, Pin-713301,



Mobile No. 9474378830 and his men and agents and to take appropriate action against them and The Range Officer, Forest Department, Govt. of West Bengal, P.O:- Panagar Bazar, P.S.- Kanksa, Dist.- Paschim Burdwan, Pin-713148 to cancel permission with immediate effect.

Thanking you,

Yours faithfully,  
*Dilip Kumar Roy*  
(DILIP KUMAR ROY)

4:4-17 PM

Original Message

-75- -58-

Original Message

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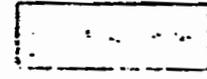
From: Kartick Chandra Das <kchandradas200@gmail.com>

To: budbudpsadpc@gmail.com

Subject: From S.P. Shaw, Advocate



Download Original



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-76-

Annexure P-5



1

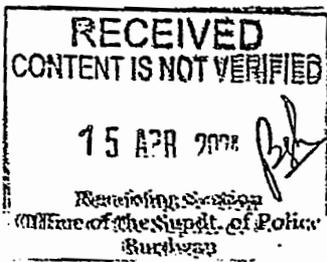
From :  
Dilip Kumar Roy  
S/o. Late Nepal Chandra Roy  
BARADA BHABAN,  
Old G.T. Road,  
Near Panagarh Bazar,  
P.O.- Panagarh Bazar,  
P.S.- Kanksa,  
Dist.- Paschim Burdwan,  
Pin-713148  
Mobile : 7602413033

To  
The Superintendent of Police  
Purba Bardhaman,  
Badamtala, Bardhaman,  
Pin -713101.

Date : 12.04.2024

Sub : To lodge FIR against (i) Parijat Roy, son of Sri Fatik Roy of N.R.R. Sarani, Asansol, P.S.- Asansol (South), District - Paschim Burdwan, Pin-713301, Mobile No. 9474378830 and his men and agents who are involve in cutting of trees.

Ref : Panagarh Cold Storage Private Limited lying and situate at G.T. Road under Mouza-Dharala, Ausgram, Block-2. under Kota Gram Panchayat, Police Station - Buddbud in the District of Purba Burdwan.



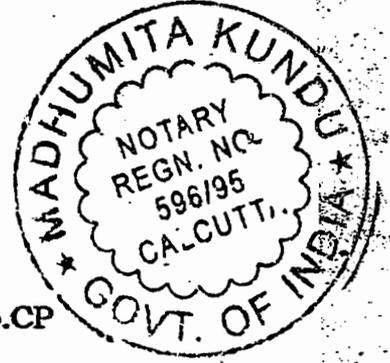


Place of Occurrence : In the campus of Panagarh Cold Storage Private Limited.  
Date : 02.04.2024 and continue.

Dear Sir,

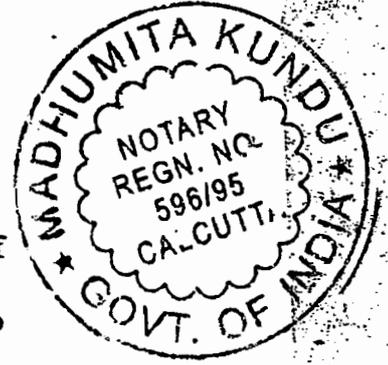
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- 2) That Parijat Roy, Tanmay Roy and Smt. Mita Roy by executing a Memorandum of understanding dated 19<sup>th</sup> day of April 2012 sold their entire shares to M/s. Sumangal Himghar Pvt. Ltd., Subrata Adhikary and Smt. Madhumita Adhikary. But the said cold storage is still under wrongful possession of Parijat Roy and his men and agents.
- 3) That the said Parijat Roy alongwith other share holders filed an application before the Ld. National Company

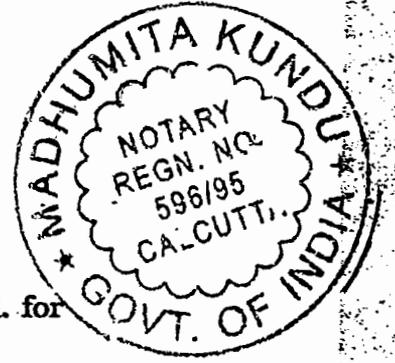


Law Tribunal, Kolkata Bench-I Vide Case No.CP No.1279/KB/2018 against the Subrata Adhikari & Ors. wherein I have already filed an Intervening Application being No.IVNA No.P/2(KB) of 2022 and contesting the same.

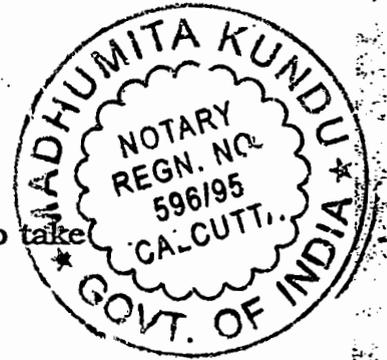
- 4) That the said Parijat Roy his men and agents are under illegal and wrongful possession of the Cold Storage and try to sale the assets and property of the said cold storage time to time unilaterally without resolution. The said Parijat Roy took permission from the Forest Department on 27.3.2024 for cutting of tree and sale the same. Upon taken permission the said Parijat Roy, his men, agents and staff started cutting 500 trees more or less. The said Parijat Roy suppressed the material facts that he and his family members already sold their shares.



- 5) That the said Parijat Roy did not call a meeting of Directors and Shareholders, hence there is no resolution. Without resolution taken in the Board meeting Parijat Roy is not entitled to take any decision in the matter of cold storage. He has taken permission by suppressing the facts that several cases are pending.
- 6) That the said Parijat Roy, being illegal and wrongful occupant trying to destruct and/or alienate and/or sale the assets and property of the Cold storage for his wrongful gain by violating every law of land.
- 7) That I have already lodged F.I.R. to the Officer in Charge, Bud Bud Police Station, Purba Bardhaman, Pin-713403 through email on 4<sup>th</sup> April 2024 at 4:16 p.m. and on 5<sup>th</sup> April, 2024 I alongwith my Advocate S.P. Shaw, High Court, Calcutta went to the police station and requested the Duty Officer to receive a copy of FIR dated 04.04.2024 but he immediately sent one



Officer on the spot, Panagarh Cold Storage Pvt. Ltd. for enquiry and instructed me to reach at the spot. As per his direction I alongwith my Ld. Advocate went at the site of Panagarh Cold Storage Pvt. Ltd. and meet with the officer there. The Officer took Photographs of the two trolley fully loaded with woods and he advised me to again go to the police station. Accordingly I and my Ld. Advocate went to the police station, then the Duty Officer refused to lodge FIR on the ground that if the Range Officer, Forest Department, Govt. of West Bengal, P.O.- Panagar Bazar, P.S.- Kanksa, Dist.- Paschim Burdwan, Pin-713148 write to the Officer-in-Charge of Bud Bud police station for lodging of FIR then the police personnel shall lodge FIR against the said Parijat Roy his men, agents and associates. Then I alongwith my Ld. Advocate went to the office of the Range Officer and the said Range Officer received the copy of FIR dated 04.04.2024 and assured me that he shall take



appropriate action as per law but he also failed to take any actions in this regard.

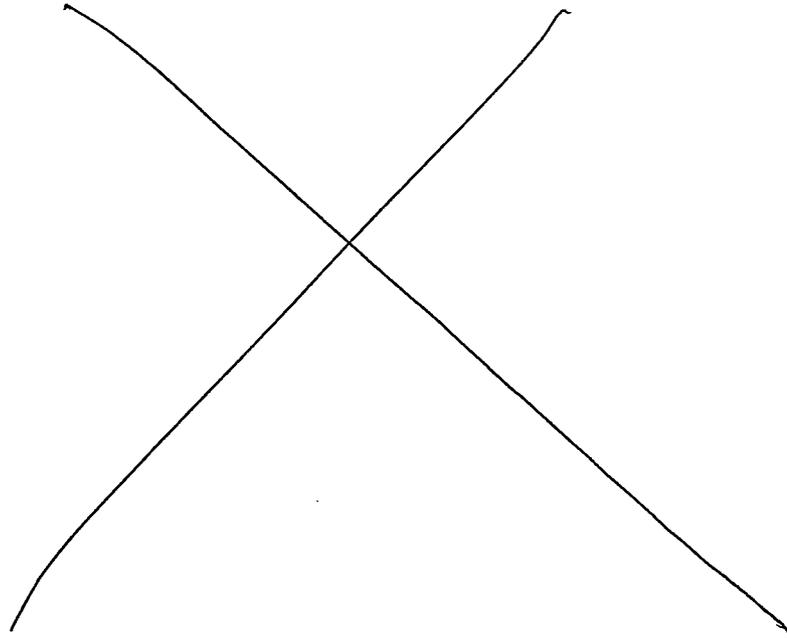
Under the facts and circumstances I request the Officer-in-Charge, Bud Bud Police Station to lodge F.I.R. against Parijat Roy, son of Sri Fatik Roy of N.R.R. Sarani, Asansol, P.S.- Asansol (South), District - Paschim Burdwan, Pin-713301, Mobile No. 9474378830 and his men and agents and to take appropriate action against them and The Range Officer, Forest Department, Govt. of West Bengal, P.O.- Panagar Bazar, P.S.- Kanksa, Dist.- Paschim Burdwan, Pin-713148 to cancel permission with immediate effect.

Thanking you,

Yours faithfully,  
*Dilip Kumar Roy*  
(DILIP KUMAR ROY)

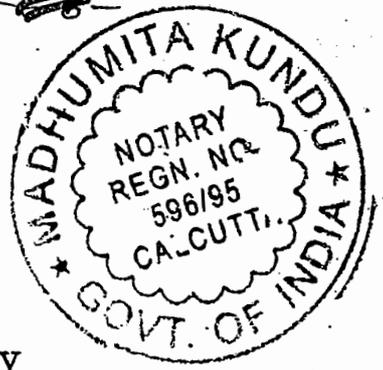


- 83 -



- 87 -

Annexure P-6



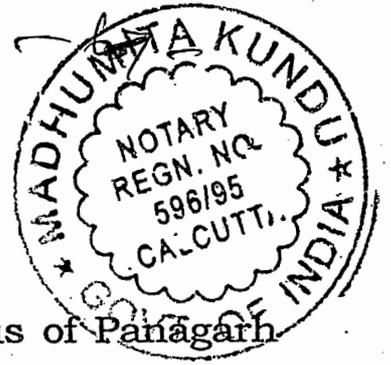
From :  
Dilip Kumar Roy  
S/o. Late Nepal Chandra Roy  
BARADA BHABAN,  
Old G.T. Road,  
Near Panagarh Bazar,  
P.O.- Panagar Bazar,  
P.S.- Kanksa,  
Dist.- Paschim Burdwan,  
Pin-713148  
Mobile : 7602413033

To  
The Officer-In-Charge  
Budbud Police Station Purba  
Burdwan  
Pin-713403.

Date : 07.05.2024

Sub : To lodge FIR against (i) Parijat Roy, son of Sri Fatik Roy of N.R.R. Sarani, Asansol, P.S.- Asansol (South), District - Paschim Burdwan, Pin-713301, Mobile No. 9474378830 and his men and agents who are involve in filling of ash on the land of Panagarh Cold Storage Private Limited lying and situate at G.T. Road under Mouza-Dharala, Ausgram, Block-2. under Kota Gram Panchayat, Police Station - Budbud in the District of Purba Burdwan.

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Place of Occurrence : In the campus of Panagarh  
Cold Storage Private Limited.  
Date : 07.05.2024.

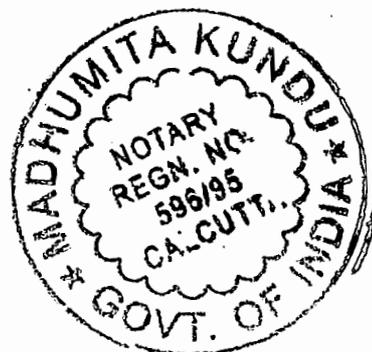
Dear Sir,

With due respect I, Dilip Kumar Roy, son of Late Nepal Chandra Roy of the abovementioned address write you as follows :-

- 1) That I am the largest share holder having 2,00,000 (Two Lakh) share of Panagarh Cold Storage Private Limited.
- 2) That Parijat Roy, Tanmoy Roy and Smt. Mita Roy by executing a Memorandum of understanding dated 19<sup>th</sup> day of April 2012 sold their entire shares to M/s. Sumangal Himghar Pvt. Ltd., Subrata Adhikary and Smt. Madhumita Adhikary. But the said cold storage is still under wrongful possession of Parijat Roy and his men and agents.
- 3) That the said Parijat Roy alongwith other share holders filed an application before the Ld. National Company

Law Tribunal, Kolkata Bench-I Vide Case No.CP No.1279/KB/2018 against the Subrata Adhikari & Ors. wherein I have already filed an Intervening Application being No.IVNA No.P/2(KB) of 2022 and contesting the same.

- 4) That the said Parijat Roy his men and agents are under illegal and wrongful possession of the Cold Storage and try to sale the assets and property of the said cold storage time to time unilaterally without passing resolution in the board meeting. The said Parijat Roy and his agents and associates cut 500 trees more or less on dated 02.04.2024 and sold for which I lodged a complaint against the said Parijat Roy and his agents and associates and the same has been send to you through e-mail on dated 4<sup>th</sup> April 2024 at 4:16 P.M. but till date you did not bother to take action against the persons involved.

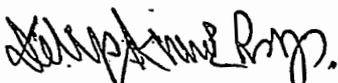


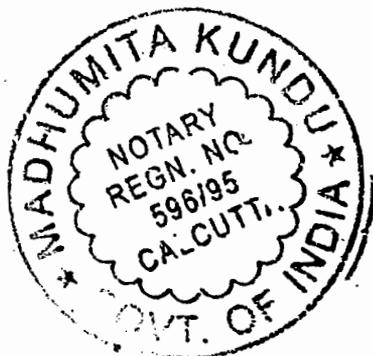
- 5) That the said Parijat Roy and his agents and associates are filling the same land with ash.
- 6) That the said Parijat Roy, being illegal and wrongful occupant trying to destruct and/or alienate and/or sale the assets and property and also changing nature and character of the land of the Cold storage for his wrongful gain and by violating every law of land.

Under the facts and circumstances I request the Officer-in-Charge, Bud Bud Police Station to lodge F.I.R. against Parijat Roy, son of Sri Fatik Roy of N.R.R. Sarani, Asansol, P.S.-Asansol (South), District - Paschim Burdwan, Pin-713301, Mobile No. 9474378830 and his men and agents and to take appropriate action against them with immediate effect.

Thanking you,

Yours faithfully,

  
(DILIP KUMAR ROY)



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-2-

Original Message

Message ID	<CADCodYfZtM5tPY8AV+pHZhNCnAEbYzpebPN2+piin4RCz+yEbg@mail.gmail.com>
Created at:	Tue, May 7, 2024 at 3:41 PM (Delivered after 0 seconds)
From:	Kartick Chandra Das <kchandradas200@gmail.com>
To:	budbudpsadpc@gmail.com
Subject:	From S,P. Shaw, Advocate

Download Original

Copy to clipboard

MIME-Version: 1.0  
 Date: Tue, 7 May 2024 15:41:06 +0530  
 Message-ID:  
 <CADCodYfZtM5tPY8AV+pHZhNCnAEbYzpebPN2+piin4RCz+yEbg@mail.gmail.com>  
 Subject: From S,P. Shaw, Advocate  
 From: Kartick Chandra Das <kchandradas200@gmail.com>  
 To: budbudpsadpc@gmail.com  
 Content-Type: multipart/mixed;  
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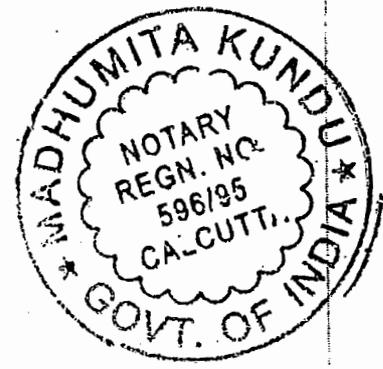
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 Content-Transfer-Encoding: base64  
 X-Attachment-Id: f\_lvw8cvbk0  
 Content-ID: <f\_lvw8cvbk0>



Annexure P-7

- 27 - 89 -

From :

Dilip Kumar Roy  
S/o. Late Nepal Chandra  
Roy, resident of BARADA  
BHABAN, Old G.T. Road,  
Near Panagarh Bazar, P.O.-  
Panagarh Bazar, P.S.-  
Kanksa, Dist.- Paschim  
Burdwan, Pin-713148  
Mobile No.7602413033.

Date : 13.05.2024

To

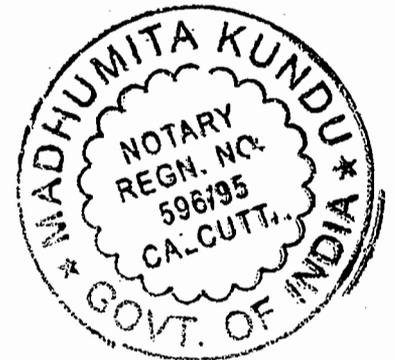
1. The State of West Bengal  
service through the Secretary,  
Ministry of Home Affairs, office at  
Nabanna, 325, Sarat Chandra  
Chatterjee Road, Shibpur, Howrah  
- 711102.

2. The Commissioner of Police  
Asansol-Durgapur Police  
Commissionerate, Paschim  
Bardhaman, 5, Elyn Lodge G.T.  
Road, Kumarpur, Asansol - 713304,  
West Bengal.

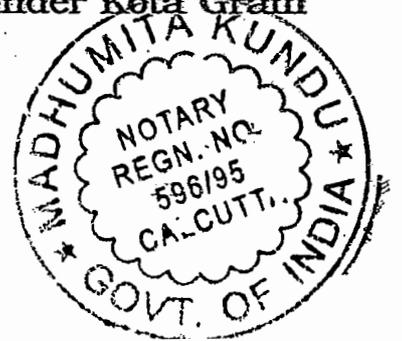
3. The Officer in charge  
Budbud Police Station  
District - Paschim Bardhaman,  
Pin-713403.

Dear Sir,

I, the abovenamed person state as follows :



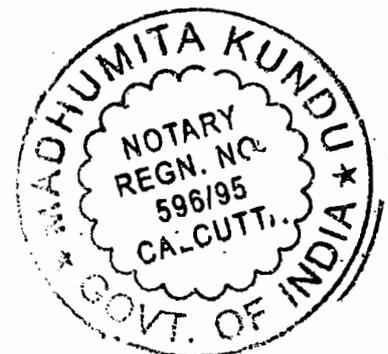
1. That on 02.04.2024 I having learnt from reliable sources that the (i) Parijat Roy, son of Sri Fatik Roy alongwith (ii) Mita Roy wife of Parijat Roy (iii) Tanmoy Roy, son of Sri Fatik Roy (iv) Sayan Roy @ Subha Roy, son of Parijat Roy (v) Rahul Roy, son of Santosh Roy all (1) to (5) are residing at N.R.R. Sarani, Asansol, P.S.- Asansol (South), District - Paschim Burdwan, Pin-713301 (vi) Somnath Karmakar, son of Late Sudha Karmakar of Vill & P.O.- Sowain, P.S.- Budbud, District -Purba Burdwan, Mobile No. 8016737054 (vii) Jeevan Kumar Mukherjee, son of Late Satya Narayan Mukherjee of Vill & P.O.- Sowain, P.S.- Budbud, District - Purba Burdwan, (viii) Gadhadar Khumbhakar, son of Haradhan Kumbhakar of Vill & P.O.- Sowain, P.S.- Budbud, District - Purba Burdwan, (ix) Sankar Bagdi, son of Not known of Vill- Pondali, P.O. -Sowain, P.S.- Budbud, District -Purba Burdwan, (x) Dayamoy Bagdi, son of Not known of Vill- Pondali, P.O. - Sowain, P.S.- Budbud, District -Purba Burdwan, (xi) Bistu Bagdi, son of Not known of Vill- Pondali, P.O. -Sowain, P.S.- Budbud, District -Purba Burdwan and their companions started cutting of trees illegally, wrongfully, intentionally and with ulterior motive by trespassing into the campus of Panagarh Cold Storage lying and situate at G.T. Road under Mouza- Dharala, Ausgram, Block-2 under Kota Gram



Panchayat, Police station- Budbud in the District of Purba Bardhman. Though Parijat Roy, Mita Roy and Tanmoy Roy are no longer share holders in the company.

2. That on 04.04.2024, I went to the Budbud Police Station to lodge a complaint against the persons involved but the police officer on duty instructed me to reach the place of incident and accordingly I reached there. I found that 5 to 6 police personnels are there in the campus of the cold storage, the said police personnel stopped two trolley in which the woods have already been loaded again the police personals instructed me to reach the police station. When I reached the police station and requested the Duty Officer to lodge a complaint against the persons involved but the duty officer refused to lodge FIR on the ground that until and unless the Range Officer shall not file any complaint for the incident before him, no FIR shall be lodged.

3. That it is pertinent to mention that more than 500 (five hundred) more or less trees has been cut and the woods have been removed from the site.



4. That on 12.04.2024 I have lodged a complaint to the Superintendent of Police, Purba Bardhaman and the said complaint has already been received on 15<sup>th</sup> April, 2024, but no step has been taken.

Therefore in the abovementioned facts and circumstances I request you to take appropriate legal step in the above matter and draw an F.I.R. against the persons involved in the incident at your earliest.

Please treat this letter to be a 'DEMAND OF JUSTICE'.

Yours faithfully,

  
(Dilip Kumar Roy)



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EN04672183IN BR:49874674226



SP KILKATA SPO <700001>

Counter No:10, 13/05/2024, 15:51

To:THE SP, PUDA BANGALAN

PIN:712243, District SB

From:S.P. SIKH AS, CITY CIVIL COURT

Wt:25gms

Airt:41.30(Cash)Tar:6.30

Track on [www.indiapost.gov.in](http://www.indiapost.gov.in)

Chat 18002666300 <Clear Mails, Stay Safe>

EN04672193IN BR:49874674226



SP KILKATA SPO <700001>

Counter No:10, 13/05/2024, 15:51

To:SC MURDO PG..

PIN:712403, District SB

From:S.P. SIKH AS, CITY CIVIL COURT

Wt:25gms

Airt:41.30(Cash)Tar:6.30

Track on [www.indiapost.gov.in](http://www.indiapost.gov.in)

Chat 18002666300 <Clear Mails, Stay Safe>

EN04672203IN BR:49874674226



SP KILKATA SPO <700001>

Counter No:10, 13/05/2024, 15:51

To:THE SECY., MIN. OF HOME AFFAIRS

PIN:711102, Sibpur SB

From:S.P. SIKH AS, CITY CIVIL COURT

Wt:25gms

Airt:41.30(Cash)Tar:6.30

Track on [www.indiapost.gov.in](http://www.indiapost.gov.in)

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Indicates a required field.

\* Consignment Number

EW046742208IN

Track More

Booked At	Booked On	Destination Pincode	Tariff	Article Type	Delivery Location	Delivery Confirmed On
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Event Details For : EW046742208IN

Current Status : Item Delivered(Addressee)

Date	Time	Office	Event
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14/05/2024	11:09:45	Sibpur SO	Out for Delivery
14/05/2024	10:55:39	Sibpur SO (Beat Number:12)	Item Delivered [To: d (Addressee) ]
14/05/2024	10:01:57	Sibpur SO	Item Received
13/05/2024	20:12:12	KOLKATA GPO	Item Dispatched
13/05/2024	20:07:16	KOLKATA GPO	Item Bagged
13/05/2024	15:51:47	KOLKATA GPO	Item Booked

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\* Consignment Number

EW046742199IN

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Booked At	Booked On	Destination Pincode	Tariff	Article Type	Delivery Location	Delivery Confirmed On
KOLKATA GPO	13/05/2024 15:51:47	713403	41.30	Inland Speed Post	Budbud SO	14/05/2024 15:06:12

Event Details For : EW046742199IN

Current Status : Item Delivered [To: budbud ps (Addressee) ]

Date	Time	Office	Event
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14/05/2024	15:06:12	Budbud SO	Item Delivered(Addressee)
14/05/2024	10:37:54	Budbud SO	Out for Delivery
14/05/2024	09:58:40	Budbud SO	Item Received
13/05/2024	20:12:12	KOLKATA GPO	Item Dispatched
13/05/2024	19:50:20	KOLKATA GPO	Item Bagged
13/05/2024	15:51:47	KOLKATA GPO	Item Booked

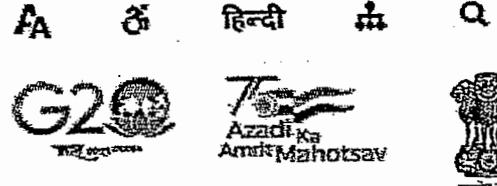
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## Track Consignment

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\* Consignment Number

EW046742185IN

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Booked At	Booked On	Destination Pincode	Tariff	Article Type	Delivery Location	Delivery Confirmed On
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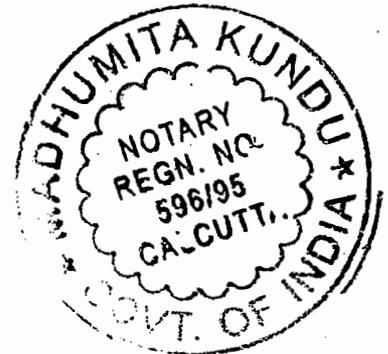
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Current Status : Item Delivered [To: budbud ps (Addressee) ]

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14/05/2024	10:37:54	Budbud SO	Out for Delivery
14/05/2024	09:58:40	Budbud SO	Item Received
13/05/2024	20:12:12	KOLKATA GPO	Item Dispatched
13/05/2024	19:50:20	KOLKATA GPO	Item Bagged
13/05/2024	15:51:47	KOLKATA GPO	Item Booked

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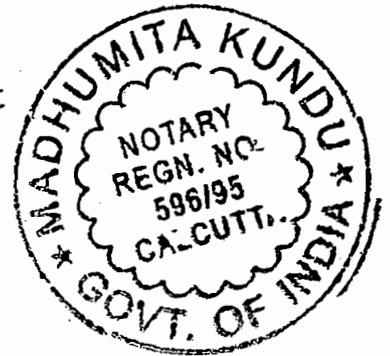
Annexure P-8

SPEED POST

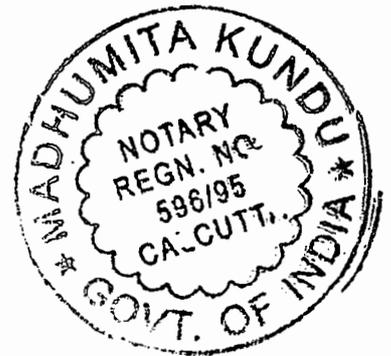
Date : 06.05.2024

To

1. The Chairman  
Paribesh Bhawan,  
10A, Block-LA, Sector-III  
Bidhannagar,  
Kolkata-700106.
2. The Additional Chief Secretary  
Department of Environment  
Prani Sampad Bhavan, 5<sup>th</sup> Floor  
LB-2, Sector-III, Salt Lake City,  
Kolkata-700106.
3. The Additional Chief Secretary  
Department of Science and Technology and Bio-  
Technology, Vigyan Chetana Bhavan, Sector-I, Block  
DD, Plot No.26/B,  
Salt Lake City, Kolkata-700064.
4. The Secretary,  
Department of Industry, Commerce and Enterprises,  
Manjusha Building, 6<sup>th</sup> Floor  
4, Abanindranath Tagore Sarani; (Camac Street),  
Kolkata-700017.
5. The Principal Chief Conservator of Forest  
Aranya Bhawan, 4<sup>th</sup> Floor,  
10A, Block LA, Sector-III, Salt Lake City,  
Kolkata-700106.



6. The Directorate of Forest  
Aranya Bhawan, 4<sup>th</sup> Floor,  
10A, Block LA, Sector-III, Salt Lake City,  
Kolkata-700106.
7. The Cell Officer,  
Air Quality,  
Public Grievance Cell,  
Mani Square, Block No.81T, Western Side  
8<sup>th</sup> Floor, 164/1, Maniktala Main Road  
Kolkata-700054.
8. The Officer-in-Charge  
Noise, Automobile,  
Public Grievance Cell,  
Mani Square, Block No.81T, Western Side  
8<sup>th</sup> Floor, 164/1, Maniktala Main Road  
Kolkata-700054.
9. Dr. Rajesh Kumar, IPS  
Member Secretary, West Bengal  
Pollution Control Board  
Paribesh Bhavan, 10A,  
Block LA, Sector-III, Bidhannagar  
Salt Lake City, Kolkata-700106.
10. The Range Officer  
Forest Department  
Govt. of West Bengal  
P.O. Panagar Bazar,  
P.S. Kanksa,  
Dist. Paschim Burdwan  
Pin-713148.

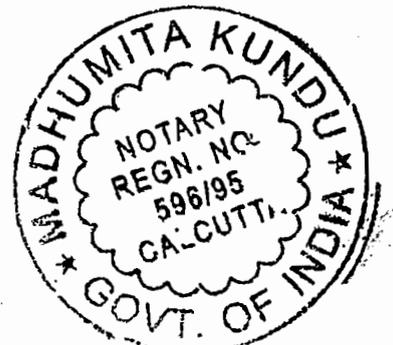


11. The Officer-in-Charge  
Budbud Police Station  
Purba Burdwan  
Pin-713403.

Sub : The Complaint for cutting of trees on April 2, 2024 and continue, against the culprits, namely Parijat Roy and his companions

Respected Sir/s,

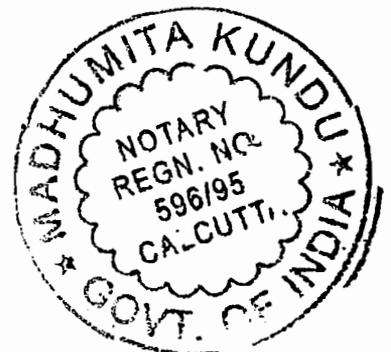
I, Dilip Kumar Roy, son of Late Nepal Chandra Roy, Barada Bhaban, Old G.T. Road, Near Panagarh Bazar, P.O. Panagarh Bazar, P.S. Kanksa, District Paschim Burdwan-713148 stating the following facts and circumstances for your deeply consideration of illegal cutting of the trees more than 500 in the campus of Panagarh Cold Storage Private Limited at G.T. Road under Mouza- Dharala, Ausgram, Block-2, under Kota Gram Panchayat, Police Station Budbud, District Purba Burdwan on April 2, 2024 and its continuation and immediately take necessary legal action against those persons who are involved in this matter.



That I am a legal share holder having the largest share of Panagarh Cold Storage Private Limited. I had lodged a complaint before the Bud Bud Police Station but as yet no action has been take from the police authorities.

That Mr. Parijat Roy son of Fatik Roy of N.R.R. Sarani, Asansol, District Paschim Burdwan - 713301 and his companions are involved in cutting of large number of trees. There is violation under West Bengal Pollution Control Board.

I have already submitted a complaint dated 04.04.2024 before the Range Officer, Forest Department, Govt. of West Bengal, P.O. Panagar Bazar, P.S. Kanksa, Dist. Paschim Burdwan, Pin-713148 which has been received by the authority on 05.04.2024 and also to the Officer-in-Charge, Bud Bud Police Station, Purba Burdwan, Pin-713403 through e-mail on 04.04.2024. But no legal steps has been

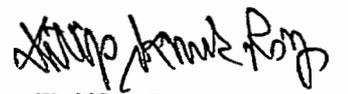


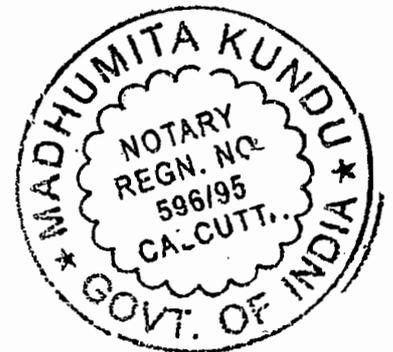
taken by both the authority till date against the said Parijat Roy and his companion.

I pray before you to kindly take immediate legal steps for such illegal cutting of large numbers of trees in the campus of Panagarh Cold Storage Private Limited at earliest.

In the aforesaid circumstances, I once again request you to take legal steps, immediately against the said Parijat Roy and his companions failing which I would have no other alternative remedy but to approach the appropriate forum against you and others for redressal of my grievances, making you liable for all costs, damages and consequences thereof without any further reference.

Yours faithfully,

  
(Dilip Kumar Roy)





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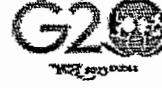


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## Track Consignment

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EW478016018IN

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Booked At	Booked On	Destination Pincode	Tariff	Article Type	Delivery Location	Delivery Confirmed On
New Secretariat Building SO	06/05/2024 10:35:10	713403	41.30	Inland Speed Post	Budbud SO	08/05/2024 14:43:20

Event Details For : EW478016018IN

Current Status : Item Delivered(Addressee)

Date	Time	Office	Event
08/05/2024	14:43:20	Budbud SO	Item Delivered(Addressee)
08/05/2024	11:44:37	Budbud SO (Beat Number:2)	Item Delivered [To: BUDBUD P S (Addressee) ]
08/05/2024	10:43:08	Budbud SO	Out for Delivery
08/05/2024	09:50:04	Budbud SO	Item Received
06/05/2024	22:04:20	Kolkata NSH	Item Received
06/05/2024	21:34:56	KOLAP TMO	Item Dispatched
06/05/2024	21:17:41	KOLAP TMO	Item Received
06/05/2024	15:25:39	New Secretariat Building SO	Item Dispatched
06/05/2024	15:23:02	New Secretariat Building SO	Item Bagged
06/05/2024	10:35:10	New Secretariat Building SO	Item Booked

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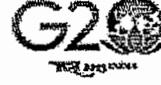
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Booked At	Booked On	Destination Pincode	Tariff	Article Type	Delivery Location	Delivery Confirmed On
New Secretariat Building SO	06/05/2024 10:35:10	700106	17.70	Inland Speed Post	Bidhan Nagar IB Market SO	07/05/2024 15:59:04

Event Details For : EW478016137IN

Current Status : Item Delivered(Addressee)

Date	Time	Office	Event
07/05/2024	15:59:04	Bidhan Nagar IB Market SO	Item Delivered(Addressee)
07/05/2024	13:21:14	Bidhan Nagar IB Market SO (Beat Number:6)	Item Delivered [To: addressee]
07/05/2024	09:26:54	Bidhan Nagar IB Market SO	Out for Delivery
07/05/2024	08:26:48	Bidhan Nagar IB Market SO	Item Received
06/05/2024	22:24:39	Kolkata NSH	Item Received
06/05/2024	21:47:05	KOLAP TMO	Item Dispatched
06/05/2024	15:25:39	New Secretariat Building SO	Item Dispatched
06/05/2024	15:22:28	New Secretariat Building SO	Item Bagged
06/05/2024	10:35:10	New Secretariat Building SO	Item Booked

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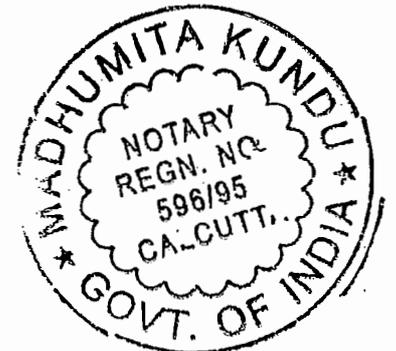
Booked At	Booked On	Destination Pincode	Tariff	Article Type	Delivery Location	Delivery Confirmed On
New Secretariat Building SO	06/05/2024 10:35:10	700106	17.70	Inland Speed Post	Bidhan Nagar IB Market SO	07/05/2024 15:59:04

Event Details For : EW478016021IN

Current Status : Item Delivered(Addressee)

Date	Time	Office	Event
07/05/2024	15:59:04	Bidhan Nagar IB Market SO	Item Delivered(Addressee)
07/05/2024	13:21:14	Bidhan Nagar IB Market SO (Beat Number:6)	Item Delivered [To: addressee]
07/05/2024	09:26:54	Bidhan Nagar IB Market SO	Out for Delivery
07/05/2024	08:26:48	Bidhan Nagar IB Market SO	Item Received
06/05/2024	22:24:39	Kolkata NSH	Item Received
06/05/2024	21:47:05	KOL AP TMO	Item Dispatched
06/05/2024	15:25:39	New Secretariat Building SO	Item Dispatched
06/05/2024	15:22:28	New Secretariat Building SO	Item Bagged
06/05/2024	10:35:10	New Secretariat Building SO	Item Booked

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Booked At	Booked On	Destination Pincode	Tariff	Article Type	Delivery Location	Delivery Confirmed On
New Secretariat Building SO	06/05/2024 10:35:10	700016	17.70	Inland Speed Post	Circus Avenue SO	09/05/2024 17:01:44

Event Details For : EW478016145IN

Current Status : Item Delivered(Addressee)

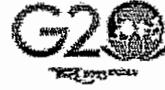
Date	Time	Office	Event
09/05/2024	17:01:44	Park Street HO	Item Delivered(Addressee)
09/05/2024	13:14:34	Park Street HO (Beat Number:17)	Item Delivered [To: r (Addressee) ]
09/05/2024	10:09:31	Park Street HO	Out for Delivery
08/05/2024	16:39:24	Park Street HO	Item Onhold Door Locked-Intimation Served
08/05/2024	09:59:52	Park Street HO	Out for Delivery
08/05/2024	07:44:18	Park Street HO	Item Received
07/05/2024	12:47:52	Circus Avenue SO	Item Bagged
07/05/2024	10:33:40	Circus Avenue SO	Item Redirected to Park Street HO Insufficient Address
07/05/2024	08:21:42	Circus Avenue SO	Item Received
06/05/2024	22:24:39	Kolkata NSH	Item Received
06/05/2024	21:47:05	KOLAP TMO	Item Dispatched
06/05/2024	15:25:39	New Secretariat Building SO	Item Dispatched
06/05/2024	15:22:28	New Secretariat Building SO	Item Bagged
06/05/2024	10:35:10	New Secretariat Building SO	Item Booked



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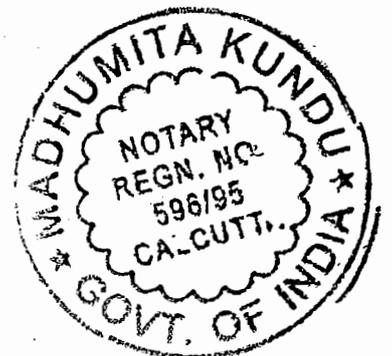
Booked At	Booked On	Destination Pincode	Tariff	Article Type	Delivery Location	Delivery Confirmed On
New Secretariat Building SO	06/05/2024 10:35:10	700106	17.70	Inland Speed Post	Bidhan Nagar IB Market SO	07/05/2024 15:59:04

Event Details For : EW478016035IN

Current Status : Item Delivered(Addressee)

Date	Time	Office	Event
07/05/2024	15:59:04	Bidhan Nagar IB Market SO	Item Delivered(Addressee)
07/05/2024	13:21:14	Bidhan Nagar IB Market SO (Beat Number:6)	Item Delivered [To: addressee]
07/05/2024	09:26:54	Bidhan Nagar IB Market SO	Out for Delivery
07/05/2024	08:26:48	Bidhan Nagar IB Market SO	Item Received
06/05/2024	22:24:39	Kolkata NSH	Item Received
06/05/2024	21:47:05	KOLAP TMO	Item Dispatched
06/05/2024	15:25:39	New Secretariat Building SO	Item Dispatched
06/05/2024	15:22:28	New Secretariat Building SO	Item Bagged
06/05/2024	10:35:10	New Secretariat Building SO	Item Booked

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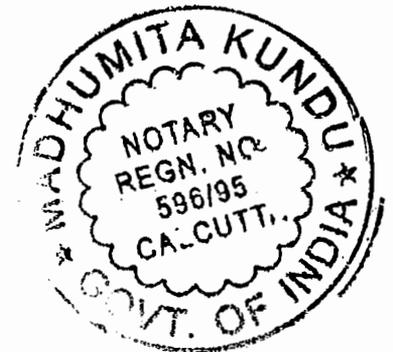
Booked At	Booked On	Destination Pincode	Tariff	Article Type	Delivery Location	Delivery Confirmed On
New Secretariat Building SO	06/05/2024 10:35:10	700064	17.70	Inland Speed Post	Bidhannagr CC Block SO	07/05/2024 14:22:45

Event Details For : EW478016154IN

Current Status : Item Delivered(Addressee)

Date	Time	Office	Event
07/05/2024	14:22:45	Bidhannagr CC Block SO	Item Delivered(Addressee)
07/05/2024	12:07:49	Bidhannagr CC Block SO (Beat Number:17)	Item Delivered [To: WBDSTBT DD26B ANIMA SARKAR DAS (Article Receipt Room) ]
07/05/2024	09:56:57	Bidhannagr CC Block SO	Out for Delivery
07/05/2024	08:28:09	Bidhannagr CC Block SO	Item Received
06/05/2024	22:24:39	Kolkata NSH	Item Received
06/05/2024	21:47:05	KOLAP TMO	Item Dispatched
06/05/2024	15:25:39	New Secretariat Building SO	Item Dispatched
06/05/2024	15:22:28	New Secretariat Building SO	Item Bagged
06/05/2024	10:35:10	New Secretariat Building SO	Item Booked

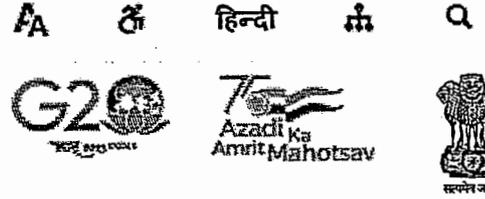
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Booked At	Booked On	Destination Pincode	Tariff	Article Type	Delivery Location	Delivery Confirmed On
New Secretariat Building SO	06/05/2024 10:35:10	700106	17.70	Inland Speed Post	Bidhan Nagar IB Market SO	07/05/2024 15:59:04

Event Details For : EW478016049IN

Current Status : Item Delivered(Addressee)

Date	Time	Office	Event
07/05/2024	15:59:04	Bidhan Nagar IB Market SO	Item Delivered(Addressee)
07/05/2024	13:21:14	Bidhan Nagar IB Market SO (Beat Number:6)	Item Delivered [To: addressee]
07/05/2024	09:26:54	Bidhan Nagar IB Market SO	Out for Delivery
07/05/2024	08:26:48	Bidhan Nagar IB Market SO	Item Received
06/05/2024	22:24:39	Kolkata NSH	Item Received
06/05/2024	21:47:05	KOLAP TMO	Item Dispatched
06/05/2024	15:25:39	New Secretariat Building SO	Item Dispatched
06/05/2024	15:22:28	New Secretariat Building SO	Item Bagged
06/05/2024	10:35:10	New Secretariat Building SO	Item Booked

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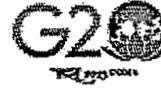
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Booked At	Booked On	Destination Pincode	Tariff	Article Type	Delivery Location	Delivery Confirmed On
New Secretariat Building SO	06/05/2024 10:35:10	700106	17.70	Inland Speed Post	Bidhan Nagar IB Market SO	07/05/2024 15:59:04

Event Details For : EW478016168IN

Current Status : Item Delivered(Addressee)

Date	Time	Office	Event
07/05/2024	15:59:04	Bidhan Nagar IB Market SO	Item Delivered(Addressee)
07/05/2024	13:21:14	Bidhan Nagar IB Market SO (Beat Number:6)	Item Delivered [To: addressee]
07/05/2024	09:26:54	Bidhan Nagar IB Market SO	Out for Delivery
07/05/2024	08:26:48	Bidhan Nagar IB Market SO	Item Received
06/05/2024	22:24:39	Kolkata NSH	Item Received
06/05/2024	21:47:05	KOLAP TMO	Item Dispatched
06/05/2024	15:25:39	New Secretariat Building SO	Item Dispatched
06/05/2024	15:22:28	New Secretariat Building SO	Item Bagged
06/05/2024	10:35:10	New Secretariat Building SO	Item Booked

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Booked At	Booked On	Destination Pincode	Tariff	Article Type	Delivery Location	Delivery Confirmed On
New Secretariat Building SO	06/05/2024 10:35:10	713148	41.30	Inland Speed Post	Panagar Bazara SO	08/05/2024 13:28:39

Event Details For : EW478015998IN

Current Status : Item Delivered [To: F r office (Addressee) ]

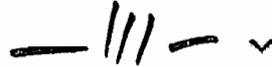
Date	Time	Office	Event
08/05/2024	16:13:33	Panagar Bazara SO (Beat Number:2)	Item Delivered [To: F r office (Addressee) ]
08/05/2024	13:28:39	Panagar Bazara SO	Item Delivered(Addressee)
08/05/2024	10:58:20	Panagar Bazara SO	Out for Delivery
08/05/2024	10:25:01	Panagar Bazara SO	Item Received
06/05/2024	22:04:20	Kolkata NSH	Item Received
06/05/2024	21:34:56	KOLAP TMO	Item Dispatched
06/05/2024	21:17:41	KOLAP TMO	Item Received
06/05/2024	15:25:39	New Secretariat Building SO	Item Dispatched
06/05/2024	15:23:02	New Secretariat Building SO	Item Bagged
06/05/2024	10:35:10	New Secretariat Building SO	Item Booked

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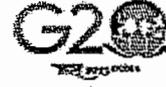
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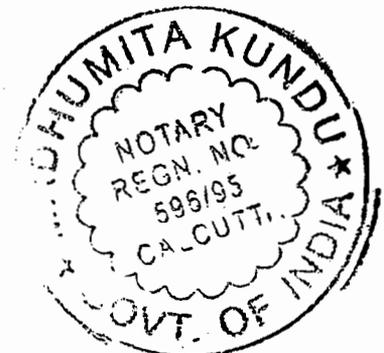
Booked At	Booked On	Destination Pincode	Tariff	Article Type	Delivery Location	Delivery Confirmed On
New Secretariat Building SO	06/05/2024 10:35:10	700054	17.70	Inland Speed Post	Kankurgachi SO	07/05/2024 14:09:58

Event Details For : EW478015984IN

Current Status : Item Delivered(Addressee)

Date	Time	Office	Event
07/05/2024	14:09:58	Kankurgachi SO	Item Delivered(Addressee)
07/05/2024	13:29:43	Kankurgachi SO (Beat Number:7)	Item Delivered [To: b.majumdar (Addressee) ]
07/05/2024	09:24:50	Kankurgachi SO	Out for Delivery
07/05/2024	08:42:59	Kankurgachi SO	Item Received
06/05/2024	22:24:39	Kolkata NSH	Item Received
06/05/2024	21:47:05	KOL AP TMO	Item Dispatched
06/05/2024	15:25:39	New Secretariat Building SO	Item Dispatched
06/05/2024	15:22:28	New Secretariat Building SO	Item Bagged
06/05/2024	10:35:10	New Secretariat Building SO	Item Booked

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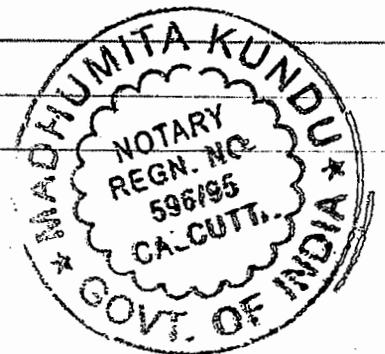
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Booked At	Booked On	Destination Pincode	Tariff	Article Type	Delivery Location	Delivery Confirmed On
New Secretariat Building SO	06/05/2024 10:35:10	700054	17.70	Inland Speed Post	Kankurgachi SO	09/05/2024 15:07:59

Event Details For : EW478016004IN

Current Status : Item Delivered (Addressee)

Date	Time	Office	Event
09/05/2024	15:07:59	Kankurgachi SO	Item Delivered (Addressee)
09/05/2024	13:21:47	Kankurgachi SO (Beat Number:7)	Item Delivered [To: b.majumdar (Addressee) ]
09/05/2024	09:54:30	Kankurgachi SO	Out for Delivery
09/05/2024	08:27:22	Kankurgachi SO	Item Received
09/05/2024	05:57:33	KOLAP TMO	Item Dispatched
09/05/2024	05:40:12	KOLAP TMO	Item Received
09/05/2024	05:06:55	Kolkata NSH	Item Dispatched
09/05/2024	04:57:29	Kolkata NSH	Item Bagged
09/05/2024	02:02:26	Kolkata NSH	Item Received
06/05/2024	22:24:39	Kolkata NSH	Item Received
06/05/2024	21:47:05	KOLAP TMO	Item Dispatched
06/05/2024	15:25:39	New Secretariat Building SO	Item Dispatched
06/05/2024	15:22:28	New Secretariat Building SO	Item Bagged
06/05/2024	10:35:10	New Secretariat Building SO	Item Booked



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First information of a cognizable crime reported under section 154 Cr. P.C. at P.S.

1. Dist. Parekh Bardhaman Sub-Divn. Budbud Year. 2024 FIR No. 50/24 Date. 19/05/24

2. (i) Act. IPC Sections. 447/379/34 (ii) Act. Sections.

(iii) Act. Sections. (iv) Other Acts & Sections.

3. (a) General Diary Reference : Entry No. 617 Time 10:35 hrs

(b) Occurrence of Offence : Day. 02/04/2024 to 04/04/2024 Time.

(c) Information received Date. 19/05/2024 Time. 10:25 hrs

G.D. No. at the Police Station.

Type of Information : Written/Oral Written type complaint received through Speed Post.

Place of Occurrence : (a) Direction and Distance from P.S. 12 K.M. West.

(b) Address. Campus of Panagarh Cold storage, Kotagram Pancharaj, PS-Budbud, Dist-Purba Bardhaman Beat No. 51NO-22, Amdal No-V

(c) In case outside limit of this Police Station, then the name of P.S. District.

4. Complainant/Informant :

(a) Name. Dilip Kumar Ray

(b) Father's/Husband's Name. S/O - Late Nepal Chandra Ray

(c) Date Year of Birth.

(d) Nationality. Indian

(e) Address. Basada Bhaban, Old G.T. Road, Pangas & Bazar, PS-Kankra, Dist-Parechim Bardhaman.

7. Details of known/suspected/unknown/accused with full particulars (Attach separate sheet, if necessary)

(Reasons for delay in reporting by the Complainant/Informant. S/O - Sn Fatik Ray (i) Sayan Ray (ii) Subha Ray S/O - Parijat Ray (iii) Tanmay Ray (iv) Rahul Ray S/O - Sandosh Ray (v) Somnath Karmakar S/O - Lt Subha Karmakar of S/O - Lt Satya Narayan Mukherjee of SO (vi) Gadhadhar Kumar Bhaskar S/O - Haradharan Kumbhakar of SO (vii) Sambhar Bagdi S/O - Not known of Pandali (viii) Anuram Bagdi S/O - Not known of SO (ix) Bindu Bagdi S/O - Not known of SO, PS-Budbud, Dist-Purba Bardhaman.

8. Particulars of properties stolen/involved (Attach separate sheet, if required)

9. Total value of properties stolen/involved.

10. Inquest report/U.D. : Case No., if any.

11. FIR Contents (Attach separate sheets, if required) The original written complaint of the complainant which is treated as F.I.R is attached herewith.

12. Action taken Since the above report reveals commission of offence(s) u/s. 447/379/34 IPC.

registered the case and took up the investigation/directed. ASI Animesh Ray of Budbud P.S. ADPC.

transferred to P.S. on point of jurisdiction. FIR read over to the Complainant/Informant admitted to be correctly recorded and a copy given to the Complainant/Informant free of cost.

Signature of the Officer-in-Charge, Police Station with MONOJIT DHARA

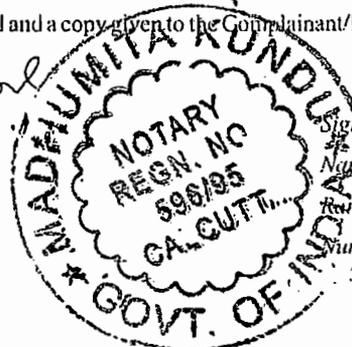
Rank. SUB INSPECTOR OF POLICE

Number, if any : O/e BUDBUD P.S. ADPC.

DATE - 19-05-2024.

Signature / Thumb Impression of the Complainant / Informant

In an original complaint



Signature of the Complainant/Informant

Signature of the Officer-in-Charge, Police Station with MONOJIT DHARA, SUB INSPECTOR OF POLICE, O/e BUDBUD P.S. ADPC., DATE - 19-05-2024.

From :

Dilip Kumar Roy  
S/o. Late Nepal Chandra  
Roy, resident of BARADA  
BHABAN, Old G.T. Road,  
Near Panagarh Bazar, P.O.-  
Panagar Bazar, P.S.-  
Kanksa, Dist.- Paschim  
Burdwan, Pin-713148  
Mobile No.7602413033.

Date : 13.05.2024

To

1. The State of West Bengal  
service through the Secretary,  
Ministry of Home Affairs, office at  
Nabanna, 325, Sarat Chandra  
Chatterjee Road, Shibpur, Howrah  
- 711102.

2. The Superintendent of Police  
Purba Bardhaman  
Badamtala, Bardhaman,  
Pin-713101.

*Received on 19/05/2024 at  
10:25 hrs and started Budbud  
PS case NO-50/24 dt 19/05/2024*

✓ 3. The Officer in charge  
Budbud Police Station  
District - Paschim Bardhaman,  
Pin-713403.

*MS 447/379/34 IPE.*

*Manjit Ghosh*  
19/05/24  
Officer-in-Charge  
Budbud Police Station  
Dist-Paschim Bardhaman

Dear Sir,

I, the abovenamed person state as follows :



1. That on 02.04.2024 I having learnt from reliable sources that the (i) Parijat Roy, son of Sri Fatik Roy alongwith (ii) Mita Roy wife of Parijat Roy (iii) Tanmoy Roy, son of Sri Fatik Roy (iv) Sayan Roy (v) Subha Roy, son of Parijat Roy (vi) Rahul Roy, son of Santosh Roy all (1) to (5) are residing at N.R.R. Sarani, Asansol, P.S.- Asansol (South), District - Paschim Burdwan, Pin-713301 (vi) Somnath Karmakar, son of Late Sudha Karmakar of Vill & P.O.- Sowain, P.S.- Budbud, District -Purba Burdwan, Mobile No. 8016737054 (vii) Jeevan Kumar Mukherjee, son of Late Satya Narayan Mukherjee of Vill & P.O.- Sowain, P.S.- Budbud, District - Purba Burdwan, (viii) Gadhadar Khumbhakar, son of Haradhan Kumbhakar of Vill & P.O.- Sowain, P.S.- Budbud, District - Purba Burdwan, (ix) Sankar Bagdi, son of Not known of Vill- Pondali, P.O. -Sowain, P.S.- Budbud, District -Purba Burdwan, (x) Dayamoy Bagdi, son of Not known of Vill- Pondali, P.O. - Sowain, P.S.- Budbud, District -Purba Burdwan, (xi) Bistu Bagdi, son of Not known of Vill- Pondali, P.O. -Sowain, P.S.- Budbud, District -Purba Burdwan and their companions started cutting of trees illegally, wrongfully, intentionally and with ulterior motive by trespassing into the campus of Panagarh Cold Storage lying and situate at G.T. Road under Mouza- Dharala, Ausgram, Block-2 under Kota Gram



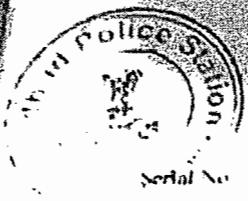
Panchayat, Police station- Buddbud in the District of Purba Bardhman. Though Parijat Roy, Mita Roy and Tanmoy Roy are no longer share holders in the company.

2. That on 04.04.2024, I went to the Buddbud Police Station to lodge a complaint against the persons involved but the police officer on duty instructed me to reach the place of incident and accordingly I reached there. I found that 5 to 6 police personnels are there in the campus of the cold storage, the said police personnel stopped two trolley in which the woods have already been loaded again the police personals instructed me to reach the police station. When I reached the police station and requested the Duty Officer to lodge a complaint against the persons involved but the duty officer refused to lodge FIR on the ground that until and unless the Range Officer shall not file any complaint for the incident before him, no FIR shall be lodged.

3. That it is pertinent to mention that more than 500 (five hundred) more or less trees has been cut and the woods have been removed from the site.







Annexure B  
Budbud Police Station

To  
Dilip Kumar Roy S/o Lt Nepal Chandra Roy of Baradha Bhuvan Old GI Road Panagrah Bazar PS- Kanksa, Dist- Paschim Bardhaman.

Notice under Section 91 Cr.PC

Whereas it has been made to appear to me that the production of documents/articles mentioned below is necessary or desirable for the purpose of investigation in case FIR No.- 50/2024 Dt. 19.05.2024 U/S - 447/379/34IPC registered at Budbud Police Station. Therefore, you are directed to produce the required documents/articles before the undersigned at Place Budbud PS at 10.00 AM/PM within three days.

Details of documents

1. Are you the owner or share holder of Panagrah cold storage Ltd. ? if yes, Please provide related Documents.
2. If the CCTV install and around the said storage? if yes, Please provide same from 02.04.2024 to 04.04.2024,
3. Land related Documents
4. Other supporting Documents if any

Failure to attend/comply with the terms of this Notice can render you liable for legal action U/S 175 IPC.

*Animesh Roy*  
Animesh Roy  
ASI of Police  
Budbud Police Station  
Purba Bardhaman  
Mob- 8637588343

ACKNOWLEDGMENT

Serial No.....

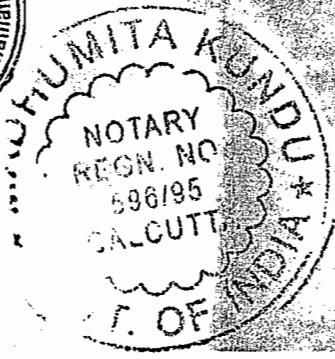
In compliance with the above mentioned notice, dated \_\_\_\_\_ issued under Section 91 Cr.PC, the Noticee has appeared on 25/5/24 from 11.00 to 11.45 hrs. The Noticee's presence has been recorded in the register maintained by the Police Station.

This acknowledgement is being issued in compliance with Section 91 Cr.PC. The documents produced upon the issuance of this notice have duly been seized vide seizure memo/production memo (copy enclosed).

The noticee undertakes to continue to comply with any further notice that she/he may receive during the course of the present investigation.

[Signature of Noticee]

*Animesh Roy*  
ASI of Police  
Budbud PS



[Signature of IO]

*Animesh Roy*  
Animesh Roy  
ASI of Police  
Budbud Police Station  
Purba Bardhaman  
Mob- 8637588343



*Handwritten signature/initials*

**VAKALATNAMA**  
*National Green Tribunal Eastern Zone, Kolkata*  
**IN THE HIGH COURT AT CALCUTTA**

DISTRICT: Paschim Bardhaman

Constitutional Writ Civil Criminal Revisional  
Appellate Jurisdiction

O.A No.

Of 2024

*Didip Kumar Roy*

Appellant  
Petitioner

*The Principal Secretary*

-Versus-

Respondent  
Opposite party

Vakalatnama on behalf of Applicant ..... Knows all

men be these presents that by this Vakalatnama I/We appoint the Advocates Pleaders noted below or any one of them as my/our lawful Advocate or Advocates for filing the memorandum of appeal or petition in the above matter for appearing and conducting and arguing the same for depositing or Withdrawing any money in connection therewith, for moving the Court in any matter connected therewith for preparing the Paper Book in the case and for putting in papers, petition etc. on my/our behalf for filing or taking back any documents for withdrawing suits or appeals or petitions with permission to institute fresh suits, appeals, petition etc. for signing and filing the petitions of compromise in connection with the said matter and for taking copies of paper from the Record and I/We further say that any act done by my/our said Advocate or Advocates or by any one of them after accepting this Vakalatnama, shall be considered as my/our own true and lawful act.

And I/We further hereby agree and undertake to pay the said Advocate or Advocates his or their fees as settled and all others sums that may be necessary to carry out the requisition of the Court and otherwise to enable the said Advocate or Advocates to conduct the case properly, failing which the said Advocate or Advocates after notice to me/us will be at liberty to withdraw from the further conduct of the case.

IN WITNESS WHEREOF I/we sign and execute this vakalatnama, on this the 21st ..... day of June 2024

**NAME OF THE ADVOCATE**

*Smrithi Prasad Shaw*  
Presidency Small Cause Court Bar Association  
City Civil Court Building  
2 & 3, K.S. Roy Road (4th floor)  
Kolkata - 700001  
Mobile - 9831221847  
E-mail - prasadshawsuresh@gmail.com  
Enrolment no. WBP/957/88

va Kaltrams received  
from the executant ad  
accepted by me  
Swachh Prasad Sars  
24/00/2024

BEFORE THE NATIONAL GREEN TRIBUNAL  
EASTERN ZONE BENCH, KOLKATA, WEST  
BENGAL  
FINANCE CENTRE, 3<sup>RD</sup> FLOOR, NEW TOWN  
KOLKATA -700156

MEMORANDUM OF APPLICATION

[Under Section 18(1) read with Sections 14,  
15 and 17 of the National Green Tribunal  
Act, 2010]

Original Application No.                      of 2024

Dilip Kumar Roy

... Applicant

-Versus-

The West Bengal Pollution Control Board,  
through its Member Secretary,  
Government of West Bengal & Ors.

... Respondents

AND

Madhumita Adhikary & Ors.

.... Proforma Respondents

APPLICATION



S.P. Shaw, Advocate,  
High Court, Calcutta  
Bar Association, City Civil Court Building  
2 & 3, K.S. Roy Road, 4th Floor,  
Kolkata-700001  
M-9831221847  
Email:prasadshawsuresh@gmail.com  
Enrolment No.WB/957/88.