

BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL  
EASTERN ZONE BENCH, KOLKATA, WEST BENGAL  
ORIGINAL APPLICATION NO. 39 OF 2025

PARIJAT MULLICK & ORS

.....APPLICANTS

VERSUS

STATE OF WEST BENGAL & ORS

.....RESPONDENTS

INDEX

SR. No.	PARTICULARS	PAGE NO.
1	WRITTEN OBJECTION	1-9
2	COPY OF EMAIL (SERVICE OF THE COPY OF WRITTEN OBJECTION UPON THE APPLICANT'S ADVOCATE)	10

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BEFORE THE NATIONAL GREEN TRIBUNAL  
EASTERN ZONE BENCH, KOLKATA  
Original Application no 39 / 2025 / EZ

Parijat Mullick &amp; Ors

Applicant

Versus

State of West Bengal &amp; Ors

Respondents

WRITTEN OBJECTION BY THE RESPONDENT NO 9, NAMELY M/S. KUMAR INDUSTRIES  
AGAINST THE APPLICATION UNDER SECTIONS 18(1) READ WITH SECTIONS 14, 15 AND  
17 OF THE NATIONAL GREEN TRIBUNAL ACT, 2010.

The Respondent no 9 namely M/S. Kumar Industries states as follows: -

SUBHA SUKAD NANDI  
Notary Court  
Regn. No. 85780/2025  
Expiry Date - 17/05/2026

That the instant application under sections 18(1) read with sections 14, 15 and 17 of the  
National Green Tribunal Act, 2010, is absolutely misconceived, frivolous, and vexatious

and is not maintainable in law or in the present form.

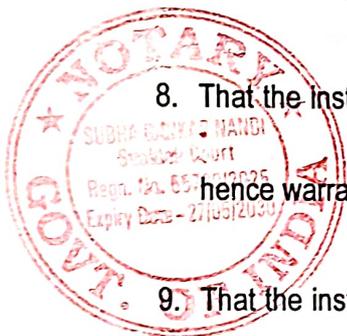
2. That the laws of resjudicata and / or principles analogous to it bars the instant application thereto.
3. That there is no cause of action and the application is barred by the principles of estoppels, waiver and acquiescence.

30 OCT 2025

Mina Devi Shaw

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4. That the applicants do not have any bonafide and reasonable ground for filing the instant application.
5. That the applicants are not entitled to any relief as claimed in the prayer of the application.
6. That the instant application is harrasive, malafide in motive and bassed on mis conception of law and facts, and thus it should be rejected in liminie with costs.
7. That the instant application is otherwise bad and should be rejected with costs.
8. That the instant application hits the principles of laches, negligence and wrong doing and hence warrants dismissal in limine.
9. That the instant application for actions against the respondents for taking adequate noise control measures like installations of acoustic insulation panels, as well as for use of rubber pads, as well as for shifting of noise producing equipment's etc as well as for order directing the respondents to maintain environmental norms strictly and also to take all necessary measures so that the people living in the neighbourhood may not suffer due to its activities in anyway or for directions upon the officer in charge of Narkeldanga Police Station to take necessary steps against the private respondents are completely devoid of any prima facie case and it is full of contradictory as well as misleading statements and rather to say that the said application is misconceived and not tenable in law and as such the instant application is liable to be rejected with costs.



30 OCT 2025

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Mina Devi Shaw

10. That the respondent no 9 denies and disputes each and every allegation made in the instant application unless it specifically admits those to be true.

11. That the respondent no 9 submits that one Raj Kumar Shaw (Since deceased) was the proprietor of M/S Kumar Industries and after his untimely death his widow Mrs Mina Devi Shaw became the proprietor of the said business firm and she is involved in the said small business in order to take care of her family and the said business is the only source of her nominal income.

12. That with regard to the contents of paragraph nos 1 and 2 of the application filed by the applicants are concerned the respondent no 9 has nothing to comment.

13. That with regard to the contents of paragraph no 3 (i) of the application filed by the applicants are concerned the respondent no 9 denies and disputes the allegations against her and calls upon the applicants to the strict proof thereof and the respondent no 9 further submits that she is manufacturing chain manually through hard labour and there is no question of severe noise pollution from early morning 5 A. M. till late night at 10 P. M.

14. That with regard to the contents of paragraph no 3 (ii) & (iii) of the application filed by the applicants are concerned the respondent no 9 denies and disputes the allegations against her and calls upon the applicants to the strict proof thereof and the respondent no 9 further submits that because of her no pollution is emitted whatsoever.



30 OCT 2025

Mina Deve Shaw

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15. That with regard to the contents of paragraph no 3 (iv) of the application filed by the applicants are concerned the respondent no 9 denies and disputes the allegations against her and calls upon the applicants to the strict proof thereof and the respondent no 9 further submits that because of her business there is no pollution whatsoever.

16. That with regard to the contents of paragraph no 3 (v) of the application filed by the applicants are concerned the respondent no 9 submits that those are matters of records and she would not accept anything beyond record and the respondent no 9 further submits that the applicant has the habit of making false complaints.



17. That with regard to the contents of paragraph no 3 (vi) of the application filed by the applicants are concerned the respondent no 9 denies and disputes the allegations against her and calls upon the applicants to the strict proof thereof and the respondent no 9 further submits that because of her business there is no pollution whether sound / noise or air pollution whatsoever.

18. That with regard to the contents of paragraph no 3 (vii) of the application filed by the applicants are concerned the respondent no 9 submits that those are matters of records and she would not accept anything beyond record and the respondent no 9 further submits that the applicant has the habit of making false complaints.

30 OCT 2025

Mina Devi Shaw

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19. That with regard to the contents of paragraph no 3 (viii) of the application filed by the applicants are concerned the respondent no 9 denies and disputes the allegations against her and calls upon the applicants to the strict proof thereof and the respondent no 9 further submits that she is doing business since long and by following the norms and regulations without emitting any pollution whether sound / noise or air pollution whatsoever.

20. That with regard to the contents of paragraph no 3 (ix) of the application filed by the applicants are concerned the respondent no 9 denies and disputes the allegations against her and calls upon the applicants to the strict proof thereof and the respondent no 9 further submits that she has been following the basic rules and regulations as well as norms of



21. That with regard to the contents of paragraph no 3 (x) of the application filed by the applicants are concerned the respondent no 9 denies and disputes the allegations against her and calls upon the applicants to the strict proof thereof and the respondent no 9 further submits that the allegations are due to jealousy and mean mind ness and nothing else and further submits that there is no prima facie case against the respondent no 9.

22. That with regard to the contents of paragraph no 3 (xi) & (xii) of the application filed by the applicants are concerned the respondent no 9 denies and disputes the same and calls upon the applicants to the strict proof thereof.

30 OCT 2025

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23. That with regard to the contents of paragraph no 3 (xiii) of the application filed by the applicants are concerned the respondent no 9 submits that the applicants are not entitled to any of the reliefs as prayed for.

24. That with regard to the contents of paragraph no 3 (xiv) of the application filed by the applicants are concerned the respondent no 9 submits that the applicants are not bonafide nor for the ends of justice but just to harass the respondent and for ulterior gains.

25. That the respondent no 9 further submits that the grounds are all frivolous and taken just

to harass the respondent and the respondent no 9 further submits that her place of

business is in a area which is predominantly industrial area having many local small

industries and commercial activities are existing since long time and the business of the

respondent no 9 is actually 70 / 80 years old and it was the original business of her father

in law and her husband who expired and as a widow she is continuing the business and

making meagre income to which is her only source of income to run her family or she

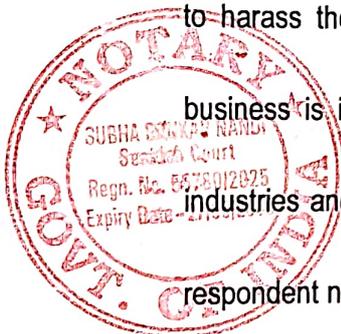
would starve to death. That the respondent no 9 further submits that the applicants are

knowing residing in the locality which is predominantly industrial area having many local

small industries as well as having commercial activities.

26. That the respondent no 9 further submits that the application has not been filed with

genuine reasons nor for the ends of justice and the respondent no 9 further submits that



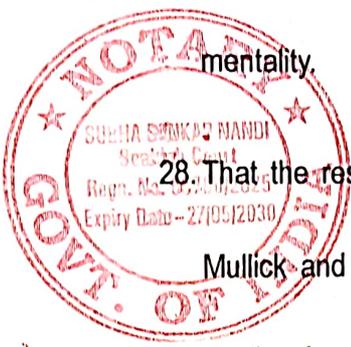
30 OCT 2025

Mint Devis Shau

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the application has been filed just for the sake of harassing the respondents and nothing else.

27. That the respondent no 9 further submits that the applicants are the landlords as well as owners of several industries which are situated close to their home but they have no problem with their own industries. That the respondent no 9 further submits that the applicant no 1 namely Parijat Mullick is the proprietor of a proprietorship concern namely United Pest Management at his residence but in the application, he has only mentioned about his residence and concealed his pest control business which only proves his mentality.



28. That the respondent no 9 further submits that the applicants no 2 & 7 namely Rupen Mullick and Kaberi Mullick are also operating a business concern namely J K Motors dealing in servicing of cars at the same place which is their residence and have not disclosed the same in the application and have concealed the fact from the Hon'ble Court and also block the public road and the public passages as well as of the respondents no 9 during the servicing of cars. That the respondent no 9 several times requested the applicants to clear the passages and not to block the passages which is causing disturbance to the respondent no 9 as well as others but inspite of clearing the passages with cars the applicants have filed this instant false and fictitious application who is a widow.

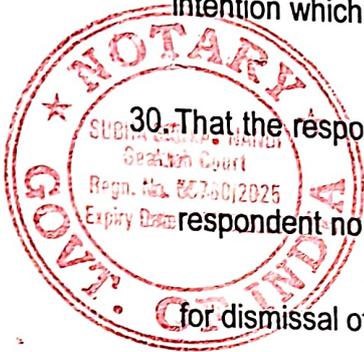
30 OCT 2025

Mina Devi Shaw

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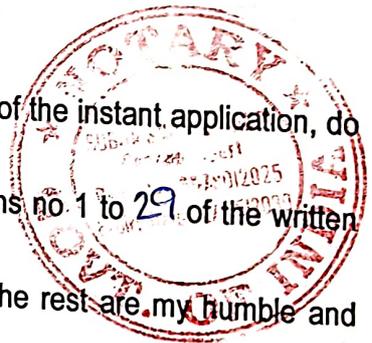
29. That the respondent no 9 further submits that the applicants have earlier lodged complaints against the respondent no 8 before the West Bengal Pollution Control Board and the proceeding was held only against the respondent no 8 but when the respondent no 9 started raising her voice against the illegal blockage of passage by the applicants then they have lodged complaint against the respondent no 9 as revenge with malafide intention which is bad in law.

30. That the respondent no 9 further prays that if the orders as prayed for is passed then the respondent no 9 as well as her family members would be prejudices and hence she prays for dismissal of the application with costs.



VERIFICATION

I, Mrs Mina Devi Shaw, the proprietor of the respondent no 9 of the instant application, do hereby declare that the statements made in the foregoing paragraphs no 1 to 29 of the written objection are all true to the best of my knowledge and belief and the rest are my humble and respectful submissions before this Learned Court.



Mina Devi Shaw  
I sign this verification this the 30<sup>th</sup> day of October 2025.



30 OCT 2025

Mina Devi Shaw



SL. NO. ~~.....~~ Dt. 30-10-25

I, Mrs Mina Debi Shaw, wife of Late Raj Kumar Shaw aged about 53 years, by faith Hindu, by occupation Business and proprietor of M/S KUMAR INDUSTRIES, the respondent no 9, herein of 237A/1A, Satin sen Sarani, Manicktala Main Road, Police Station: Narkeldanga, Kolkata – 700054, do here by solemnly affirm and declare as follows: -

1. That I am the proprietor of M/S KUMAR INDUSTRIES, the respondent no 9, herein, of the instant complaint and I am well conversant with the facts and circumstances of the case.
2. That the statement made in paragraph no 1 to 29 of the written objection are all true to the best of my knowledge and belief, and the rest are all my humble submission before this Hon'ble Court.

That the statements are all true.

*Mina Debi Shaw*

DEPONENT

Identify by me

*Tanus Roy*

Advocate

Solemnly affirmed and declared  
before me on identification

*Sucha Sankar Nandi*  
SUBHA SANKAR NANDI  
Notary Public  
Regn. No. 55780/2025  
Govt. of India  
Sealah Court  
Kolkata-700014

30 OCT 2025

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**Copy of the Written Objection by Respondent No. 9 namely Kumar Industries in connection with original application no 39 of 2025 pending before the Hon'ble National Green Tribunal, Eastern Zone Bench, Kolkata.**

1 message

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**Kumar Industries <kumarindustriesraj@gmail.com>**  
**To: advocatesubho@gmail.com <advocatesubho@gmail.com>**

Mon, Nov 17, 2025 at 6:13 PM

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**Written Objection by R 9 Kumar Industries.pdf**  
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