

ORDER SHEET  
WBCHCA0003012026



Item No.16+17  
Ct. No. 1  
RP

**IN THE HIGH COURT AT CALCUTTA  
CONSTITUTIONAL WRIT JURISDICTION  
APPELLATE SIDE**

**WPA(P)/1/2026**

**AKASH SHARMA**

**VS**

**STATE OF WEST BENGAL AND ORS.**

**With**

**WPA(P)/5/2026**

**THE HONBLE COURT IN ITS OWN MOTION (IN RE. AIR QUALITY)**

**VS**

**NA**

**Appearance:**

Mr. Akash Sharma

...Petitioner appearing-in-person

Mr. Ajit Kumar Mishra, Ld. AGP

Mr. Gopal Krishna Sarkar

Mr. M.M. Ghosh

...Advocate for State

Mr. N.C. Bihani, Sr. Adv.

Mr. Soumya Mukherjee

...Advocate for WBPCB

Mr. Nilotpal Chatterjee

Ms. Tanushree Dasgupta

...Advocate for KMC

Mr. S. Sinha

Mr. Ankit Sureka

Mr. Sandipan Das  
Ms. Kazi Tania Parveen

...Advocate for HMC

**CORAM: RAVINDRA VITHALRAO GHUGE,  
CHIEF JUSTICE  
&  
OM NARAYAN RAI J.**

**Date :21.09.2026**

**Order (Per Court):**

1. Learned State Counsel submits that the West Bengal Pollution Control Board has to come up with specific policies in order to ensure that pollution is controlled all throughout the State and the air quality index is improved. If such policy is designed by the Board and if there are suggestions made to the State Government for implementation of such policies to improve the overall air quality index in the State, the State Government would also respond positively, since this is not an adversarial litigation.

2. Learned Counsel for the West Bengal Pollution Control Board submits that though a short report has been tendered before the Court, the Board would prepare a proper report and tender it to the Court in the form of an Affidavit, which would contain methods and policies to control air pollution. The Board would also present a road map in order to initiate effective measures for curbing air pollution and for improving air quality.

3. On the request of the Board, we are granting time to enable it to file such report in the form of an Affidavit. We direct the Board to work on its policies by inviting experts in the field as well as the concerned authorities of the State, so as to lay before this Court a road map containing time-lines for the implementation of its policies with the assistance of the State Government. Let such Affidavit-in-Reply/Report be filed on or before 13<sup>th</sup> October, 2026. Copies of the same shall be supplied to the Petitioner-in-Person as well as the State Government through its Counsel.

4. We would also direct the Pollution Control Board as well as the State Authorities, to ensure appropriate measures to curb air pollution on account of fire crackers during the ensuing festivals, in the light of the order dated 11.10.2022, passed by the Division Bench of this Court in WPA (P) 292 of 2021.

5. List this Petition on **19<sup>th</sup> November, 2026.**

**(OM NARAYAN RAI , J.)**

**(RAVINDRA V. GHUGE)**  
**Chief Justice**