

**HIGH COURT OF TRIPURA  
AGARTALA**

IA No.1/2020 in WP(C) No.1304/2019(D/O)

Sri Rajib Lodh

..... Applicant(s).

Vs.

Agartala Municipal Corporation and Ors.

..... Respondent(s).

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For the Applicant(s) : Mr. B N Majumder, Advocate,  
Mr. Rajib Saha, Advocate.

For the Respondent(s) : Mr. K K Pal, Advocate,  
Mr. Ratan Datta, Advocate,  
Mr. Samar Das, Advocate.

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**HON'BLE THE CHIEF JUSTICE MR. AKIL KURESHI**

**\_O\_R\_D\_E\_R\_**

05.3.2020

Applicant's fish storing unit has been sealed by the Agartala Municipal Corporation(AMC) under order dated 6<sup>th</sup> December, 2019 on the ground that the same was causing unchecked noise pollution in the area. By filing this application, the applicant contends that he wishes to shift the outer unit of the air conditioning machine which is the main cause of noise pollution and install the same at some other place in conformity with the rules and regulations of Tripura Pollution Control Board(TPCP). The applicant has, therefore, prayed for a direction to the AMC to permit the applicant to enter the premises, assemble the machineries which according to him were dismantled by the said authorities and to shift and install the outer unit at some other suitable place.

When the applicant has, thus, indicated that he no longer intends to operate the fish storing business at the current site, the question of continued sealing of the said premises no longer survives. The sealing of the premises was ordered since it was found that the unit was breaching the noise pollution levels. The applicant shall file an undertaking before the Registry of this Court within a week from today declaring that at the current site he would not restart the same business without clearance from TPCB. In anticipation of filing of such undertaking, the AMC shall remove the seals at the site latest by 10<sup>th</sup> March, 2020.

Interlocutory application is disposed of accordingly.

**( AKIL KURESHI ), CJ**

