

Dd 8 21.08.2026
(Bench ID-266046)

In the High Court At Calcutta
SPECIAL CIVIL JURISDICTION
APPELLATE SIDE

CPAN/1002/2026
SANTU KARMOKAR AND ORS
VS
DR.(MS.)P DEEPAP PRIYA, IAS DISTRICT
MAGISTRATE, HOWRAH AND ORS
in
WPA(P)/28/2025
SANTU KARMOKAR AND ORS
VS
THE STATE OF WEST BENGAL AND ORS.

Mr. Jayanta Samanta,
Ms. Karunamoyee Samanta, Advocate
Mr. Debendra Ghosal, Advocate
... .. For the Petitioner

Mr. Surajit Nath Mitra, Id. AG
Mr. Sailendra Kumar Tiwari, Advocate
Ms. Aparajita Mitra, Advocate
... .. For the alleged contemnor Nos.1&2

Ms. Papiya Banerjee Bihani, Advocate
.. ..For the alleged contemnor No. 3

Mr. Hafizur Rahaman, Advocate
Mr. Shahan Shah, Advocate
..for the alleged contemnor Nos. 5,6,10 & 11

1. Petitioner complains of violation of the order dated February 7, 2025.
2. By the order dated February 7, 2025, we disposed of public interest litigation, by issuing certain directions.
3. A Special Leave Petition was carried against the order dated February 7, 2025 which was dismissed.

4. Petitioners complain that, although green crackers were allowed to be utilized during the festivities, the private respondents used firecrackers which were not so. He submits that, video recordings were sought to be made. Mobile phone used for the purpose of video recordings were destroyed. Police complaints were lodged in this regard.
5. Learned advocate for the petitioners submitted that, the incidents of violating the orders passed from time to time of the Court continues to recur over several years. He submits that, contempt Rule should be issued as against the respondents.
6. The respondents are represented.
7. It appears from the records that, the petitioners before us filed another public interest litigation being WPA (P) 8 of 2026 seeking implementation of the order dated February 7, 2025. Such public interest litigation being WPA (P) 8 of 2026 was disposed of by the co-ordinate Bench on January 14, 2026 by reserving the liberty to file appropriate proceedings. It is after the order dated January 14, 2026 passed in WPA (P) 8 of 2026 that the petitioners before us filed the contempt petition.
8. That firecrackers were utilized during the festivities is established. Order dated February 7, 2025 read with the earlier order dated February 8, 2023 passed in WPA(P) 30 of 2023 does not prevent user of fire crackers in its entirety. Green firecrackers were permitted to be used.
9. The issue, therefore, is whether or not firecrackers used during the festivities were of the prescribed quality.

10. We are not minded to enter into such arena in a contempt proceeding as it involves disputed questions of fact.
11. In such circumstances, we dispose of the contempt petition by reserving the rights of the petitioner to take appropriate proceedings. We clarify that in the event any police complaints were lodged, the police will ensure that such complaints are logically concluded in accordance with law.
12. **CPAN/1002/2026** is accordingly **disposed of**.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)