

17th December,
2020
(AK)
24

W.P.A. 9180 of 2020

Ranaghat OBR Brihattara Graduate Teachers' Association
& Anr.
Vs.
The State of West Bengal & Ors.

Mr. Saptanshu Basu
Mr. Pratik Dhar
Mr. Anindya Bose
Mr. Chandrachur Chatterjee
Mr. Diptendu Mondal

...For the Petitioners.

Mr. Amitesh Banerjee

...For the State.

The grievance of the petitioners is that, despite having sought permission quiet some time back to hold a Sit-in-Demonstration, to commence from December 18, 2020 for a period as specified in the application, the respondent authorities are sitting tight over the matter.

When the matter is taken up today, a chart is handed over by learned senior counsel for the petitioners as well as a supplementary affidavit filed in court today, indicating that the petitioners are agreeable to restrict their demonstration for a period of ten or even seven days from December 18, 2020.

Learned senior counsel appearing for the State respondent agrees in principle to permit such demonstration, but, on instruction, submits that the authorities have certain reservations regarding the

number of days of such demonstration, due to the apprehended law and order situation which may arise if such permission is granted.

It is submitted that, in the Pandemic situation, the number of participants should not exceed one hundred, as indicated in the chart, and all COVID Protocols also ought to be complied with.

It appears from the proposal given by the petitioners that the petitioners now seek to restrict their demonstration to less than one hundred participants, maintaining all COVID Protocols.

Moreover, the petitioners are agreeable to a minimum of seven days but have prayed for ten days of sit-in demonstration permission.

Keeping in view the fair stand taken by the State respondent, the concession of the petitioners, as well as the Pandemic situation, it would be appropriate if the outer limit is restricted to seven days.

Accordingly, W.P.A 9180 of 2020 is disposed of by directing the respondent authorities to grant immediate permission for the petitioners to hold a Sit-in-Demonstration on the pavement near Gate No.-5 of Central Park from December 18, 2020 for a period of seven days, subject to the following conditions;

- i) The total number of participants in the Sit-in-Demonstration shall, at no point of time, exceed one hundred;

- ii) All COVID-19 Protocols shall be strictly complied with by the participants;
- iii) The petitioners shall not cause any hindrance to traffic and pedestrian movement beyond the pavement near Gate No.-5 of the Central Park and/or to the ingress and egress to any of the gates of the Central Park;
- iv) The petitioners, while holding the Sit-in-Demonstration, shall strictly comply with all provisions of law.

There will be no order as to costs.

Urgent photostat copies of this order, if applied for, be given to the parties upon compliance of all requisite formalities.

(Sabyasachi Bhattacharyya, J.)