

29.12.2020
Item No SPL.2 & 3
Crt.No.8(DB)
K.B./b.r.

W.P.A. 9184 of 2020
IA No. CAN 1 of 2020

Ms. Anasua Bhattacharya
-vs-
State of West Bengal & Ors.
with
W.P.A. 9209 of 2020
IA No. Can 1 of 2020 & CAN 2 of 2020

Mr. Sabyasachi Bhattacharya
Mr. Indrajit Dey
..... In W.P.A.9209 of 2020
For the writ petitioner.

The writ petitions are in the nature of public interest litigations.

The prayer in the writ petitions is for appropriate directions on the respondent authorities for banning the sale and use of fire crackers during festivals. The ground for such relief is the global pandemic. The prayers also seek a direction on the respondent authorities to prevent overcrowding in Kali Puja, Jagadhatri Puja, Kartick Puja and Chhat Puja pandals.

The petitioner claims to be a public-spirited person and expresses anxiety in relation to the flouting of covid norms in public places.

We are of the considered view that the prayers specifying the pujas/festivals make it abundantly clear that both the writ petitions have become infructuous. The writ

petitions were filed on 3rd November, 2020 for controlling the crowds during Kali Puja, Chhat Puja etc.

However, since recent newspaper reports indicate that there has in fact been overcrowding in public places, the respondent no.1, being the Government of West Bengal through the Chief Secretary, is requested to ensure that effective protocols are maintained in the year-end festivities. The protocols would include measures taken by the police authorities to control congestion in public places particularly in the popular spots of the city where such crowding has been frequently noticed in recent times.

The administration is also requested to ensure that there are sufficient number of check points for providing masks, sanitizers and medical aid to the revellers. Similar orders passed in Public Interest Litigations involving similar concerns will continue to be complied with.

Since both the writ petitions have become infructuous as stated above, WPA 9184 of 2020 and WPA 9209 of 2020 are disposed of without any order as to costs.

(Kausik Chanda, J.)

(Moushumi Bhattacharya, J.)