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2021

**In the High Court at Calcutta
Constitutional Writ Jurisdiction
(Via Video Conference)**

W.P.A. No. 2676 of 2021

**Palash Mandal and others
Versus
State of West Bengal and others**

Mr. Biswaroop Bhattacharyya,
Mr. Arka Maiti.
...for the petitioners.

Mr. Amitesh Banerjee,
Mr. Joydip Banerjee.
...for the State.

The petitioners have a grievance on the alleged inaction of the State-respondents in the matter of non-commencement of counselling procedure for the State Level Selection Test (SLST) for classes IX-X and XI-XII. As such, the petitioners seek to hold a sit-in demonstration espousing such cause at or about Gate No.5 of the Central Park at Salt Lake (Bidhannagar).

However, it appears that the petitioners are seeking to espouse their individual causes and not a public cause. Although learned counsel for the petitioners submits that about five hundred people may be congregate in the area for the purpose of such demonstration, the present writ petition has been filed by only fifteen petitioners in their individual

capacities, on their individual causes. Moreover, the petitioners always have legal remedies available to them in the event they actually have a cause of action on the genesis of the grievance.

Apart from that, fifteen individuals sitting in the vicinity of Gate No.5 of the Central Park at Salt Lake, without violating any law or the COVID-19 Regulations and without blocking ingress and egress to the Central Park, do not require a specific permission from the police to do so. Whatever may be the root cause for the petitioners to so demonstrate, is also amenable to legal remedies. However, the petitioners have to maintain law and order and adhere to the COVID-19 protocol while doing so.

It is made clear that the observations made in this order are in the nature of *in personam* and not *in rem*.

Accordingly, WPA 2676 of 2021 is disposed of with the aforesaid observations.

There will be no order as to costs.

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

(Sabyasachi Bhattacharyya, J.)