

08.10.2021

Sl. No. 2

Court No.8

B.M.

WPA 16097 of 2021

Kartick Das & Ors.

Vs.

The State of West Bengal & Ors.

(Via Video Conference)

Mr. Panchanan Hajra ... for the petitioners

Mr. Ujjal Ray ... for the private respondents

Mr. Amitesh Banerjee, learned Sr. State Counsel

Mr. Tarak Karan

... for the State respondents

The petitioners claim to be the absolute owner of land in R. S Plot No.110 corresponding to L.R Plot No.576 of Mouza Joynagar, J. L. No.54, over which the private respondents are trying to perform the Durga Puja and the State respondents are not acting as per representation made by the petitioners dated 20.09.2021. Hence, the writ application for an order prohibiting the private respondents from performing Durga puja being organised by Joynagar Tarun Sangha over the land of the petitioners.

It is admitted on behalf of the private respondents that 20 decimal of land in the aforesaid plot belongs to the petitioners but 20 decimal is a part and parcel of land in LR Plot No.576 and rests of the land in the said plot belong to the private respondents as well as other persons where the Durga Puja is being organised and on the road only for four days.

Mr. Ujjal Ray, learned counsel for the private respondents submits that the Durga puja is being organised for the last 46 years. It is also pointed out that the petitioner no.2 was the Secretary of the Joynagar Tarun Sangha and he has developed hostile feeling only because he is not now the General Secretary of the said club. This Court finds no plausible ground for restraining the respondents from organising the Durga puja as usual. However, ingress and egress to and from the premises of the petitioner should not be blocked and further the respondents State authority mainly the local Police Station will see to it that there is no breach of peace in the locality.

Thus, the writ application being WPA 16097 of 2021 is disposed of.

(Shivakant Prasad, J.)