

24.03.2021
Ct. 7
D/L 7
ab

WPA 9381 of 2020
(Via Video Conference)

United Students and Research Scholars Association
& Anr.
-Vs-
State of West Bengal & Ors.

Mr. Subrata Bhattacharjee,
Mr. Indranuj Dutta,
Mr. Suvajit Ghosh Dastidar,
Mr. Rahul Ghosh,

... for the petitioner

Md. T. M. Siddiqui,
Mr. N. Chatterjee,

... for the State

The petitioners have sought for permission from the concerned police authorities of Bidhannagar Police Commissionerate by making an application on October 16, 2020 for holding peaceful apolitical demonstration in front of Bikash Bhavan, Salt Lake City, Kolkata on November 30, 2020 from 11 a.m. to 2.30 p.m.

The grievance of the petitioners is that in spite of the fact that the said application for permission was made long before the proposed date for holding such peaceful apolitical demonstration but the authorities did not take any decision in that regard.

The learned advocate for the petitioners has placed reliance upon an unreported decision of a co-ordinate Bench in the case of *Ranaghat OBR Brihattara Graduate Teachers' Association & Anr. Vs. The State of West Bengal & Ors.* (W.P.A. 9180 of 2020) wherein the

writ petition was disposed of by directing the respondent authorities to grant immediate permission for the petitioners' to hold a sit-in-demonstration for a specific period on certain terms and conditions.

Mr. Siddiqui, learned advocate appearing for the State submits that the petitioners prayed for holding demonstration on November 30, 2020 but since the said date has already been expired, no direction should be passed upon the concerned authority to consider such application for permission at this stage.

Since the proposed date for holding the demonstration has expired in the meantime, no useful purpose will be served by directing the authorities to consider the representation dated October 16, 2020.

In view thereof, WPA 9381 of 2020 is disposed of by giving liberty to the petitioners to file an appropriate application before the Inspector-in-Charge, Bidhannagar North Police Station for permission for holding demonstration giving the date on which they intend to hold such demonstration and the period of such demonstration, if any. If such application is submitted before the concerned authority, the concerned authority shall take a decision thereupon in accordance with law and also taking into consideration the orders passed by this Hon'ble Court on identical issues and communicate the same to the applicant.

There shall, however, no order as to costs.

Urgent photostat certified copy of this order, if applied for, be supplied to the parties upon compliance of all legal formalities.

(Hiranmay Bhattacharyya, J.)

