

25.01.2022
Court No.13
Item No.6
pk

WPA 1069 of 2022

**Khelai Chandi Mela Committee represented by its
President Dwaraknath Acharya Goswami alias
Dwaraknath Srinivasan and Ors.**

Vs.

State of West Bengal and Ors.

(Through Video Conference)

Mr. Dibyendu Chatterjee

... For the Petitioners.

Mr. R.C. Guchhait

... For the State.

Ms. Jhuma Chakraborty

... For the Respondent Nos.8 & 9.

The short question involved in the instant writ petition is as to whether the permission should be given to the petitioners to continue a Mela/Fair during the Gangasagar festival and thereafter at the site on a property under plot no. 4953 under the Raghunathpur Police Station, Purulia.

This Court does not wish to enter into the extent of the property or the rival claims between the petitioners and shebait. There are a large numbers of proceedings pending before the WBLRT Tribunal under the Land Ceiling Act. A prayer for the aforesaid permission has also been made in the said proceedings before the WBLRT Tribunal. Since the Tribunal is not functional, the application could not be taken up.

The Inspector in Charge, Raghunathpur Police Station has submitted a detailed report. An unequivocal

view has been expressed that holding of Mela where large number of people would gather, would not be advisable at all in view of ongoing pandemic. Crowd control would also be an issue. Law and order problem are also expected since there are two groups vying the right to hold Mela/Cycle Stand and other temporary hawking facilities.

This Court is of the view that no permission can be granted to the petitioners for holding any fair or Mela, as prayed for.

The instructions of the Inspector in Charge, Raghunathpur Police Station, Purulia dated 22.01.2022 and the instructions of the Block Land and Land Reforms Officer, Raghunathpur-I, Purulia, both addressed to the learned Government Pleader, may be kept with the record.

With the aforesaid observations, the writ petition is dismissed.

All parties shall act on the server copy of this order duly downloaded from the official website of this Court.

(Rajasekhar Mantha, J.)