

27.04.2022.
Court No.13
Item No. 7
ap

W.P.A. No. 5631 of 2022

**Khelai Chandi Mela Committee represented by its
President, Dwaraknath Acharya Goswami @
Dwaraknath Srinivasan & Ors.
Versus
The State of West Bengal & Ors.**

Mr. Dibyendu Chatterjee,
Ms. Piyali Paul.

...For the petitioners.

Mr. T.M. Siddiqui,
Mr. Nilotpal Chatterjee.

...For the State.

Ms. Reshmi Ghosh,
Mr. Soumya Sarkar Chini.

...For the respondent nos.8 & 9.

Supplementary affidavit filed in Court today be
taken on record.

Pursuant to a decision of the Division Bench of
this Court dated 25th February, 2022 passed in M.A.T.
No. 87 of 2022, the Sub-Divisional Officer,
Raghunathpur was directed to hear all the interested
parties and take a decision as to whether Khelai
Chandi Mela could be held by the writ petitioners
herein.

The learned Advocate appearing on behalf of the
added respondent no.10 submits that his client has
not been heard. It is also submitted that the
respondent no.10 is the main Association, who are
interested in the welfare and benefit of the Khelai
Chandi Mela at the property in question. The
petitioners and the respondent Nos. 8 & 9 are
admittedly shebaites of the deity.

Admittedly, the Sub-Divisional Officer, Raghunathpur had not served notice to the added respondent no.10.

Counsel for the petitioners has produced a notice of the Sub-Divisional Officer, Raghunathpur, indicating service on the added respondent no.10. Counsel for the added respondent no.10, however, denies having received such notice.

Be that as it may, the impugned order dated 15th March, 2022 shall stand set aside. The Sub-Divisional Officer, Raghunathpur shall revisit the matter after giving notice to the respondent no.10 and the petitioners afresh and any other interested persons. The Sub-Divisional Officer, Raghunathpur shall verify the locus of each of the parties before it and decide as to whether Khelai Chandi Mela can be held. The melas is admittedly being held for 300 years now. The alleged absence of account from the petitioner urged by the respondent no. 10 is not a ground to oppose the mela.

In the event, the Sub-Divisional Officer, Raghunathpur is of the view that Mela can, in fact, be held, appropriate conditions for health, sanitation and security shall be put in place for holding any such Mela.

It is expected that the aforesaid consideration shall be effected by the Sub-Divisional Officer, Raghunathpur, as indicated hereinabove, within a

period of 15 days from date and no further notice to the appearing parties shall be given. Hearing by the SDO shall be conducted on 2nd May, 2022 at 4:00 P.M.

In view of the above, the instant writ petition shall stand disposed of.

There will be no order as to costs.

All parties are directed to act on a server copy of this order duly downloaded from the official website of this Court.

(Rajasekhar Mantha, J.)