

04.07.2022
sayandeep
Sl. No. 17
Ct. No. 05

WPA 13331 of 2022

Ankit Deb
-Versus-
The State of West Bengal & Ors.

Mr. Rajdeep Majumder
Mr. Mayukh Mukherjee
Ms. Aishwarya Bazaz

.....for the petitioner

Mr. Amitesh Banerjee
Ms. Ipsita Banerjee

.... for the State

The present writ petition is by the President of the youth wing of a particular political party who seeks permission of the Court to organise a peaceful procession on the eve of Dr. Shyama Prasad Mookherjee's birth anniversary on 6th July, 2022.

Learned counsel appearing for the petitioner indicates that the procession will be held on 6th July, 2022 at 3 p.m. from Golpark and end at the western flank of the Jatin Das Park Metro Station. Counsel further submits that the rally will be attended by only a limited number of people and will be held peacefully without causing any disruption to the traffic, the commuters or the general public in the localities along the procession route from Golpark to Hazra Road.

Learned counsel appearing for the State submits that the footpath where the congregation is proposed to be held is of 4ft. wide.

After hearing learned counsel, the undertaking given on behalf of the petitioner should be recorded in as follows.

The procession will commence at 3 p.m. from Golpark and end at the western flank of the Jatin Das Park Metro Station at 5 p.m.. The congregation will be limited to the Leader of the Opposition Party and a few other people and will be restricted to the footpath adjacent to Ashutosh College and Jatin Das Park Metro Station. The petitioner shall also ensure that the crowd in the gathering shall not spill over on the road or disrupt the flow of traffic in either relation in any manner. The congregation will also be confined within the existing guard-railing where, according to counsel, previous political gatherings have also been held.

The petitioner shall not extend the area of the guard-rail for the purpose of the gathering. The petitioner shall also ensure that the normal traffic movement along the procession route is not blocked by way of artificial or human barriers. The rally and convocation shall also end at 6 p.m. sharp.

WPA 13331 of 2022 is disposed of in terms of the above.

(Moushumi Bhattacharya, J.)