

Sl.01 14.12.2022
NB Ct. 39

WPA 27085 of 2022

Sanat Kumar Biswas & Anr.
Vs.
The State of West Bengal & Ors.

Mr. Sabyasachi Chatterjee,
Mr. Sandipan Das,
Mr. Ataur Rahman,
Mr. Sayan Banerjee,
Mr. Badrul Karim,
Ms. Ankita Majumder.
...for the petitioners.
Sk. Md. Galib,
Mr. Kapil Guha.
...for the State.

This is an application under Article 226 of the Constitution of India praying for direction upon the respondents to provide permission to the petitioners for organising a 'Mela' scheduled to be held on 16.12.2022 to 19.12.2022 in accordance with law.

Affidavit of service filed on behalf of the petitioners is taken on record.

A report filed on behalf of the State is also taken on record.

Learned counsel appearing for the petitioner submits as follows. The petitioners are to organise a 'Mela' called Lalan Mela at Bhimpur Swamiji Bidyapith Footbal Ground. They have obtained permission from the Bhimpur Swamijit Bidyapith for this. They have also obtained permissions from other authorities like a 'no objection' from the Fire Department. However, although they applied for assistance from the local police administration for running the 'Mela', the respondents have not accorded the same.

Learned counsel appearing on behalf of the State submits as follows. According to the report filed, there are

adverse parties in the organisation. Both the parties prayed for permission to hold the fare. After the present petitioners sought permission for running the 'Mela', the authorities asked them to provide relevant documents. But, the same were not provided. It is also learnt that in an earlier meeting of the committee, certain altercations had taken place.

I have heard the learned counsels appearing on behalf of the parties and have perused the writ petition.

Unfortunately, the purported other side has not been made a respondent in this case.

It appears that the petitioners sought the assistance of the police authorities to run the 'Mela' for which they claimed to have obtained appropriate permissions.

If the petitioners have taken permissions for running the 'Mela', they are in anyway entitled to run the same in accordance with law.

In the event any law and order problem occurs, the respondents shall take deal with same as per law.

The allegations are not admitted since affidavits have not been asked for.

With these observations, the writ petition is disposed of.

Urgent photostat certified copy of this order may be supplied to the parties expeditiously, if applied for.

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

(Jay Sengupta, J.)