

03-01-2023
ct no. 13
Sl.288
sp

WPA 56 of 2023

Ajbar Khan

-Versus-

The State of West Bengal & Ors.

Ms. Afreen Begum,
Mr. Mustafizur Rahaman

....for the petitioner

Mr. Md. Galib,
Mr. Anubrata Santra

...for the State

The petitioner is aggrieved that the Harwood Point Coastal Police Station, Sundarban Police District has not responded to a request for holding a religious gathering within their jurisdiction. The instructions of the Harwood Point Coastal Police Station, Sundarban Police District dated January 3, 2023 are clear and explicit in this matter.

A huge police deployment is required for the purpose of holding the ongoing 'Gangasagar Mela' that will continue till January 17, 2023.

The State police, therefore, expresses a complete inability to spare any police force for holding this particular religious 'Jalsha'.

It is indeed true and this Court believes that every religious community in this Country is entitled to hold peaceful religious gathering. The said right is however required to be balanced with

the ability of the Administration to deploy sufficient police force to manage any untoward incident that may occur.

In that view of the matter, the petitioner is requested to hold the 'Jalsha' after January 17, 2023 or preferably in the month of February, 2023.

Upon receipt of such request from the petitioner, the Harwood Point Coastal Police Station, Sundarban Police District, shall make suitable arrangement to permit the petitioner to hold the 'Jalsha' peacefully and in accordance with Rules and the law.

The report of the Harwood Point Coastal Police Station, Sundarban Police District, addressed to the learned Government Pleader, dated 03.01.2023, is kept with the record.

With the aforesaid observations, the writ petition shall stand disposed of.

There shall be no order as to costs.

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

(Rajasekhar Mantha, J.)