

11.01.2023.
Court No.13
Item No. 9
ap

W.P.A. No. 811 of 2023

**Ashis Khamrai & Ors.
Versus
The State of West Bengal & Ors.**

Mr. Koustav Bagchi,
Mr. Debayan Ghosh,
Ms. Priti Kar.

... For the petitioners.

Mr. S. N. Mukherjee, Id. Advocate General
Sk. Md. Galib,
Mr. Kapil Guha.

...For the State.

The learned Advocate General has produced instructions of the Commissioner of Police, Kolkata. The same is taken on record.

In view of the ongoing Gangasagar Mela until 17th January, 2023, it would not be possible to deploy either sufficient force or permit any procession in the areas where protest is proposed to be held.

The State has otherwise no objection to the peaceful protest by the petitioners, as it is a democratic right.

Mr. Bagchi, Counsel appearing on behalf of the petitioners, upon instructions, submits that his clients are willing to defer the protest and hold it on the 18th January, 2023. They should be permitted to such protest at Rani Rashmoni Roy Road, Kolkata after converging from the directions already indicated in the earlier order passed earlier today.

The learned Advocate General, Mr. Mukherjee, submits that the State has no objection to the same.

Let appropriate security arrangements be made by the police. The conditions mentioned against Clause (a) to (d) in the order dated 15th December, 2022 passed by a Co-ordinate Bench of this Court in W.P.A. No. 27782 of 2022 shall be complied with and applied to the writ petitioners. The only modification is that the petitioners shall be able to hold demonstration from 11:00 A.M. to 5:00 P.M.

With the aforesaid directions, 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.)