

Ct. 05
Item No.16
27.04.2023
(Suvendu)

WPA 10291 of 2023

Arpita Bhowmik & Ors.

Vs.

The State of West Bengal & Ors.

Mr. Partha Sarathi Bhattacharyya
Mr. Atarup Banerjee
Mr. Abu Sohel
Mr. Raju Bhattacharyya
Mr. Rajdeep Pramanik
Mr. Ujjayan Banerjee
.....for the petitioners

Mr. Rajdeep Mazumder
Mr. Moyukh Mukherjee
.....for the respondent no. 2

Mr. Uttam Kumar Bhattacharya
.....for the respondent no.3

Mr. Sk. Md. Galib
Mr. K.M. Hossain
.....for the State

1. The 5 writ petitioners before the Court are the ex-students of Prabhat Kumar College, Contai and are aggrieved by a decision taken in a meeting of the Governing Body of the said College on 24.04.2023. The said decision was taken pursuant to an order of a co-ordinate Bench.
2. The petitioners claim to be aggrieved by imposition of certain restrictions which would be reflected from the minutes of the proceedings. The petitioners are unhappy with

the 5000 Sq.ft. of space given to the petitioners for a “Mela” which the petitioners propose to hold from April-June, 2023 while calling it “Baisakhi Mela”. The petitioners say that the restrictions imposed for holding the “Mela” are unreasonable.

3. The Governing Body of the College and the State are represented.
4. After hearing learned counsel appearing for the petitioners, it appears that the petitioners have been holding this “Mela” in the College ground, for a substantial length of time. Although the petitioners say that 5000 Sq.ft. area is not sufficient for the “Mela” and want the entire College ground for holding the “Mela”, this court is of the view that the area given for the “Mela” is sufficient. The petitioners’ demand of holding the “Mela” on the entire college ground is unreasonable.
5. The restrictions, on objective parameters, appear to be reasonable. The College has willingly lent its ground for ex-students for the “Mela” without asking for any rent. There is nothing on record to suggest that the conditions imposed are arbitrary or unreasonable. The only condition which may need clarification is that *“there shall be no*

commercial stalls except the stalls related to Rabindranath Tagore”.

6. The petitioners have no reason to complain or approach the court for that matter.
7. WPA 10291 of 2023 is disposed of in terms of the above.
8. The petitioners shall be at liberty of seeking A clarification from the Governing Body of the College with regard to the condition stated above. The order is on the assumption that the “Mela” will be devoid of any political colour.
9. Urgent photostat certified copy of this order, if applied for, be given to the parties on usual undertakings.

(Moushumi Bhattacharya, J.)