

17-05-2023  
ct no. 13  
Sl. 19  
pk

**WPA 12255 of 2023**

CLC Tanners Association and another  
**-Versus-**

The State of West Bengal & Ors.

Mr. Kishore Datta,  
Mr. Vivekananda Bose,  
Mr. Ratikanta Pal

... for the petitioners

Mr. Santanu Kumar Mitra,  
Ms. Anandamoyi Ghosh

... for the State.

Mr. Aneek Pandit,  
Mr. Avijit Kundu,  
Ms. Sonakshi Mitra,  
Ms. Tanistha Jain

... for the respondent no. 6.

Mr. Sandip Kumar Bhattacharyya,  
Mr. Ali Rizvi,  
Mr. Rittik Mandal

... for the respondent nos. 7 and 8.

1. Affidavit of service filed in Court is taken on record.

2. The petitioner no. 1 is a limited company registered under the Companies Act, 2013. Its members are the owners and/or long term leaseholders of various tanneries and other leather goods businesses within the Kolkata Leather Complex. They come within the jurisdiction of the Kolkata Leather Complex Police Station. The common public areas in the leather complex belong to the State.

3. The petitioners are aggrieved that the persons engaged as labour in various units in the KLC propose to organize a meeting and/or demonstration within the Complex premises on 18.05.2023 between 3 p.m. to 5 p.m.

4. Admittedly, the respondent nos. 6 to 8 are not persons who work with any unit in the Kolkata Leather Complex. They are outsiders and claim to be office bearers of a trade union of the workers in the complex.

5. Admittedly also, the demonstration has not been organised with the formal permission or consent of the petitioners.

6. The State is represented. It is submitted by the learned counsel for the State that the Police do not have any objection to the demonstration being held subject to maintenance of law and order.

7. A peaceful protest and/or demonstration by any section of Society is a recognised right under the Constitution.

8. The demonstration, however, in the instant case appears to be held in a demarcated industrial complex where a large number of leather manufactures and business are functioning. No outsiders can be allowed to hold

any demonstration in the premises cannot be brushed aside.

9. The workers of the leather complex in any industry or business thereat may therefore hold their demonstration as proposed on 18.05.2023 between 3 p.m. to 5 p.m.

10. No outsiders, particularly, the respondent nos. 6 to 8 shall be permitted to enter into the complex and participate in the demonstration. If the workers wish to bring outsiders in any demonstration, they may do so outside the leather complex in accordance with law.

11. Since the Police have no objection to the demonstration being held, the workers and the employees may conduct their demonstration in a peaceful manner and without in any way obstructing any ingress and egress to any of the businesses that operate within the Kolkata Leather Complex.

12. The venue of the demonstration shall be appropriately cleaned after the programme. The Police shall ensure appropriate deployment.

13. The stage shall be constructed in a place under the supervision of the O. C., the Kolkata Leather Complex Police Station without obstructing any public convenience whatsoever.

14. The stage for the demonstration and for the workers shall not be constructed on any road within the complex.

15. The demonstrators shall name three persons responsible for compliance of the conditions of the Police and who shall be responsible for compliance of this order.

16. The writ petition is disposed of.

17. There will be no order as to costs.

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

**(Rajasekhar Mantha, J.)**