

AD-20
Ct No.09
13.07.2023
TN

WPA No. 12767 of 2023

Manab Jati Kalyan Foundation and another
Vs.
The State of West Bengal and others

Mr. Tarunjyoti Tewari,
Mr. Sandip Ray,
Mr. Hiranmoy Debnath,
Ms. Polly Banerjee,
Ms. Paramita Dey

.... for the petitioners

Ms. Manika Pandit

.... for the State

Mr. Chayan Gupta,
Mr. Sandip Dasgupta,
Mr. Aviroop Mitra

.... for the respondent nos. 4 & 6

Learned counsel for the State prays for an adjournment for the week. However, in view of the innocuous nature of the prayer made in the writ petition, such adjournment is refused.

The petitioners submit that despite having applied for permission to hold Durga Puja celebration in the upcoming occasion this year, no such permission has yet been granted by the respondent-authorities, nor has any response being given to the petitioners' application on such score.

It is submitted that since several arrangements have to be made prior to the organization of such a

ceremony, sufficient time would not be left in the event the permission is withheld longer.

Learned counsel appearing for the respondent nos. 4 and 6 submits that the respondent no. 4 has nothing to do in granting such permission.

However, it is seen from the annexures to the writ petition that a representation in that regard has also been made to the respondent no. 6 and other relevant authorities. Hence, the purpose of the writ petition would be served if a direction is given to the respondents to respond to and act on the application/representation of the petitioners immediately.

Accordingly, WPA No. 12767 of 2023 is disposed of by directing the respondent-authorities, apart from respondent no.4, to immediately respond to the representations made by the petitioners with regard to holding of celebrations on the occasion of Durga Puja this year, at the designated place as mentioned in their representations, within a week from the date of communication of this order to the said authorities. It is made clear that upon taking a decision on the same, the respondent-authorities indicated above shall communicate the outcome of such consideration to the petitioner immediately thereafter.

It is made clear, however, that the merits of the application for holding Durga Puja celebrations have not been gone into by this court and it will be open to the authorities to decide the same in accordance with law and following the principles of natural justice.

Since no affidavits have been invited in the matter, it is deemed that none of the allegations made in the writ petition are admitted by the respondents.

There will be no order as to costs.

Urgent photostat certified copies of this order, if applied for, be made available to the parties upon compliance with the requisite formalities.

(Sabyasachi Bhattacharyya, J.)