

05-06-2023
ct no. 13
suppl. 1
sp

WPA 12934 of 2023
Communist Party of India (Marxist) & Anr.
-Versus-
The State of West Bengal & Ors.

Mr. Bikash Ranjan Bhattacharyya, Id. Sr. Adv.,
Mr. Rabilal Moitra, Id. Sr. Adv.
Mr. Samim Ahammed,
Mr. R. Moitra,
Ms. Saloni Bhattacharya,
Mr. P. Baidya,
Mr. Soham Banerjee,
Mr. Nepesh Majhi,
Ms. Sayanti Sengupta,
Ms. Gulsanwara Pervin,
Mr. Jamiruddin Khan,
Mr. Arka Bhattacharyya

...for the petitioner

Mr. Amitesh Banerjee, Id. Sr. St. Counsel,
Mr. Suddhadev Adak

...for the State

1. The petitioner is aggrieved that a permission to hold a public meeting at Government land known as Kachari Maidan at Barasat under Barasat-1 Block that was allowed by the ADM and BL & LRO, North 24 Parganas on May 16, 2023, has been unceremoniously withdrawn on May 31, 2023.
2. The public gathering/meeting is to be held on tomorrow i.e. June 6, 2023.
3. The ground for withdrawal indicated in the communication dated May 31, 2023 is that the ground is being prepared for holding a football tournament.

4. Mr. Amitesh Banerjee, learned counsel appearing for the State submits that the real reason for refusal of permission was location of Government offices and a Court around the said ground.
5. This Court notes that since the permission was granted by the ADM and arrangements have already been made by the petitioner, it would be grossly unfair to rescind and/or recall such permission. The impugned order dated May 31, 2023 is set aside.
6. The petitioner may hold their public gathering/meeting as permitted by the ADM on May 16, 2023 tomorrow (06.06.2023) between 3 p.m. to 7 p.m. The petitioner shall comply with all terms and conditions stipulated by the ADM.
7. The venue of the meeting shall be cleaned up after the conclusion of the same.
8. Three persons shall be named by the petitioner who shall be responsible for compliance with all terms and conditions of the State.
9. With the aforesaid observations, the instant writ petition shall stand disposed of.
10. There shall be no order as to costs.

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

(Rajasekhar Mantha, J.)