

WPA 22665 of 2023

2022, Prathamik Tet Pass D. EL.ED Aikka Mancah & anr.

-vs-

State of West Bengal & ors.

Mr. Sabyasachi Chatterjee

Mr. Omar Faruk Gazi

Mr. Sayan Banerjee

...for the petitioners

Mr. Ashim Kr. Ganguly

Ms. Jyotsna Roy Mukherjee

...for the State

Learned counsel appearing on behalf of the petitioners submits as follows. The petitioners would like to organize a sit-in demonstration in front of the West Bengal Board of Primary Education beyond the area where Section 144 of the Code is promulgated. A prayer was made, but was turned down by the respondent authorities. The petitioners would have about 700- 800 participants.

The petitioners have now come up with an instruction that they could hold such demonstration at some alternative places like the crossing of 3rd Avenue or Karunamoyee Metro Station or play ground which belongs to the Bidhannagar Municipality.

Learned counsel appearing on behalf of the State submits as follows. A demonstration at a congested area would cause undue harassment to the passersby and the local people. The State has also proposing a place for such demonstration. It is Service Road which lies near the FE

Block and in front of Sourav Cricket Academy play ground (Central Park Play Ground).

At this stage, learned counsel for the petitioners submits that it will be possible for them to hold such demonstration at the said service road.

In view of the above, let the sit-in demonstration for 24 hours starting from 1 PM on a particular day and ending on the next day shall takes place at the service road in front of Sourav Cricket Academy in Salt Lake. The date will be fixed by the parties after a notice of 15 days is given by the petitioners to the concerned respondents.

The demonstration shall be held peacefully and there shall be no inciting of violence or use of foul language.

The respondent authorities shall take adequate measures to ensure that on the dates of the rally or meeting, the participants are protected and no untoward incident or breach of peace takes place.

With these observations, the writ petition is disposed of.

Urgent photostat certified copy of this order be supplied to the parties, if applied for, as early as possible.

(Jay Sengupta, J.)