

16th October,
2023
(AK)
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W.P.A 22697 of 2023

Khas Rekha Aikatan and another
Vs.
The State of West Bengal and others

Mr. Subhas Jana

...for the petitioners.

Mr. Anirban Ray
Mr. Sk. Md. Galib
Mr. Safik Dewan

...for the State.

1. The petitioners submits that the petitioners are eager to organize a Durga Puja festival on the grounds of a school.

2. The school has given permission but no online application could be made on the concerned web portal of the Government.

3. Learned counsel for the State submits that as per the declared policy of the State, the applications are accepted online only upon uploading the permission granted on a previous occasion.

4. In the present case, the petitioners submit that the petitioners have been conducting the Puja but never had the occasion to take any permission. As such, the petitioners are unable to produce copy of previous permission.

5. There cannot be any blanket ban on new organizers performing Durga Puja, of course, subject to the convenience and inconvenience and other exigencies of the respondent authorities.

6. Such consideration has to be on a case-to-case basis and there cannot be a blanket bar to new Pujas.

7. Accordingly, WPA 22697 of 2023 is allowed, thereby grating liberty to the petitioners to apply manually, if not already applied, for permission to hold Durga Puja for this year.

8. If such an application is made or has been made, the same shall be processed by the respondent authorities at the earliest and, subject to compliance of all formalities otherwise by the petitioners, the respondents shall grant such permission within October 18, 2023.

There will be no order as to costs.

Urgent photostat copies of this order, if applied for, be given to the parties upon compliance of all requisite formalities.

(Sabyasachi Bhattacharyya, J.)