

Item No.19

In the High Court At Calcutta
Constitutional Writ Jurisdiction
Appellate Side

29.09.2023
Ct-24

WPA 23492 of 2023
Dharinda Friendship Club & Anr.
v.
The State of West Bengal & Ors.

Mr. Soumik Ganguly
Mr. S. Nandy
Ms. Chandana Chakraborty
... for the petitioners.

Mr. Gopal Chandra Das
... for the Tamralipta Municipality.

Mr. Sanatan Panja
... for the State.

The petitioners' prayer seeking permission for conducting the Durga Puja has been rejected by the Sub-Divisional Officer, Tamluk.

The petitioners submit that permission to conduct Puja was granted in the previous year. The petitioners applied for obtaining no objection certificate from the Sub-Divisional Officer on September 19, 2023 and also applied before the Municipality for issuance of no objection certificate. The Municipality is yet to issue the certificate.

The rejection order was put in the official website maintained by the Sub-Divisional Officer yesterday. No reason whatsoever is mentioned for rejection of the petitioners' application.

Learned advocate representing the Municipality submits that a meeting for holding the puja is going on right now in the office of the District Magistrate.

The Sub-Divisional Officer is directed to give an opportunity of hearing to the petitioners to produce relevant documents in support of their prayer for performing the Durga Puja.

The petitioners will be obliged to comply with all the formalities required for performing the puja including obtaining no objection certificates from the respective departments.

A decision shall be taken by the Sub-Divisional Officer at the earliest but positively by October 4, 2023.

The impugned rejection by the Sub-Divisional Officer shall be kept in abeyance till a fresh decision is taken by the authority.

The writ petition stands disposed of.

Urgent certified photocopy of this order, if applied for, be supplied to the parties expeditiously on compliance of usual legal formalities.

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(Amrita Sinha, J.)