

Item No. 05

In the High Court At Calcutta
Constitutional Writ Jurisdiction
Appellate Side

03.10.2023
Ct-24
A.G.M.

WPA 23557 of 2023

Kumarpur Yuba Gosthi & Anr.

v.

The State of West Bengal & Ors.

Mr. Soumik Ganguly

... for the petitioners.

Mr. Koushik Chatterjee

Mr. Nilanjan Adhikari

... for respondent nos. 4 to 7.

Mr. Amal Kumar Sen

Mr. Lal Mohan Basu

... For the State.

The Contai Municipality is allegedly not permitting the petitioners to conduct the Puja, even though the permission for celebration of Durga Puja in the open space of the Irrigation and Waterways Directorate vide Memo No. 1105 dated 5th September, 2023 was issued by the Executive Engineer, Contain Irrigation Division (I&WD).

Learned advocate for the Municipality submits that it is only because the petitioners block / obstruct the road, the Municipality is not inclined to permit the petitioners to conduct the Durga Puja.

Learned advocate representing the petitioners submits, upon instruction that, the road will be kept free

for pedestrians and vehicular movement and no obstruction will be caused.

On a perusal of the permission issued by the Executive Engineer, it appears that the same was subject to several conditions mentioned therein.

The petitioners will be bound to follow the conditions as mentioned in the permission issued by the Executive Engineer, Irrigation and Waterways Directorate.

The Municipality is directed to take steps to issue necessary permission to the petitioners so that the Durga Puja may be celebrated in the open space of the Irrigation and Waterways Directorate.

A decision shall be communicated to the petitioners by tomorrow.

The parties are directed to take steps relying upon the order that will be available in the official website of the High Court.

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.

(Amrita Sinha, J.)