

12 05.10.2023
NB Ct. 14

WPA 23709 of 2023

Brajanath Pal
Vs.
The State of West Bengal & Ors.

Mr. Sarbananda Sanyal,
Ms. Poulami Chakraborty.
...for the petitioner.

Mr. Rudrajit Sarkar,
Mr. Tanay Chakraborty.
...for the State.

Mr. Suranja Mandal,
Mr. Santanu Sinha,
Ms. Mousumi Biswas,
Mr. Amit Ray.
...for the respondent nos.9,10&12.

Report filed on behalf of the State is taken on record.

Learned counsel appearing on behalf of the petitioner submits as follows. The petitioner is the owner of the property in question. The private respondents are trying to disturb the peaceful possession of the petitioner in respect of such property by trying to conduct Durga Puja on the petitioner's land. Till date, no Puja has ever been conducted on such land. It used to be conducted on the public road.

Learned counsel appearing on behalf of the private respondents submits as follows. There is no attempt whatsoever by the private respondents to disturb the possession of the petitioner in respect of such property. The private respondents are going to hold Durga Puja on the public road after obtaining necessary permissions.

Learned counsel appearing on behalf of the State relies on the report and submits as follows. As of now, there is no

temporary or permanent construction made by the private respondents on the suit property. The private respondents had been holding Durga Puja on the public road after taking necessary permissions.

It appears that the apprehension of the petitioner that the private respondents are trying to grab his property or hold a Durga Puja on the petitioner's land is quite unfounded, especially in view of the submissions advanced in this regard by both the State and the private respondents.

Therefore, no further order need be passed in this regard.

However, the police authorities shall keep a sharp vigil at the locale and ensure that no breach of peace takes place.

With these observations, the writ petition is disposed of.

Urgent photostat certified copy of this order may be supplied to the parties expeditiously, if applied for.

(Jay Sengupta, J.)