

06-10-2023
Item No.1 SL
Subrata
Bhattacharyya
AR(C)

IN THE HIGH COURT AT CALCUTTA
Constitutional Writ Jurisdiction
Appellate Side

WPA No.24292 of 2023
Amiya Kumar Sarkar
-vs-
The State of West Bengal & Ors.

Mr. Phiroze Edulji
Ms. Anamika Pandey ...for the petitioner

Mr. Samrat Sen
Mr. Amal Kumar Sen
Mr. Lal Mohan Basu ...for the State

Learned counsel for the petitioner submits as follows. By an order dated October 4, 2023 passed by this court in WPA No.23781 of 2023 this court allowed the petitioner to organize “Sourya Jagaran Jaytra”. This is meant purportedly to spread awareness about various issues relating to Hinduism and to honour the freedom fighters who had laid down their lives for the country. A similar order was passed earlier by a co-ordinate Bench of this Court on September 29, 2023 in WPA No.2382 of 2023. By this order the organizers were allowed to carry out such Jatras in four districts of North Bengal. The present rally or Jatra would start from Uttar Dinajpur, go through Dakshin Dinajpur and thereafter go ahead to Siliguri Hindu High School ground. The rest of the path is covered by the said judgement dated September 29, 2023 passed in WPA No.2382 of 2023. However, the police authorities are not allowing the petitioner to go ahead with the Jatra in the two districts of Uttar Dinajpur and Dakshin Dinajpur.

Learned advocate for the State submits that there is some confusion in the writ petition about whether the

march is to start from Uttar Dinajpur or to end there.

It has now been clarified by the petitioner that the portion of the relevant march will start from Uttar Dinajpur, go through Dakshin Dinajpur and then reach Siliguri Hindu High School ground. Admittedly, the rest of the part is covered by the other judgement passed by the co-ordinate Bench.

In view of the same and in the interest of justice, the prayer of the petitioner to hold the said “Sourya Jagaran Jaytra” is allowed so far as the passage of the rally through the districts of Uttar Dinajpur and Dakshin Dinajpur are concerned, and for this the participants of the rally and the organizers shall abide by all the terms and conditions laid down in the judgement and order dated October 4, 2023 passed in WPA No.23781 of 2023. The number of participants in the rally for each of those districts should not exceed 200 at a time

With the aforesaid observations, WPA No.24292 of 2023 stands disposed of.

All parties shall act on the server copy of this order.

Learned counsel for the petitioner shall be at liberty to communicate this order to the concerned authorities.

[Jay Sengupta, J]

