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09.11.2023
Ct. No. 5
(Vacation Bench)
SB

In The High Court At Calcutta
Constitutional Writ Jurisdiction
Appellate Side

W.P.A. 25900 of 2023

Dilip Barik
-versus
The State of West Bengal & Ors.

Mr. Rajdeep Mazumder
Mr. Moyukh Mukherjee
Ms. Sagnika Banerjee
...For the Petitioner

Mr. Santanu Mitra
Ms. Rupsha Chakraborty
Mr. Amit Halder
... For the State

The petitioner seeks permission to perform the Kali Puja. It is submitted that the petitioner successfully submitted online application seeking permission for performing the Puja on 06.11.2023. The permission is awaiting.

Learned advocate representing the State respondents has obtained instruction from the Officer-in-Charge, Sankrail Police Station HPC dated 09.11.2023, wherein it has been mentioned that the application has been filed without complying with the

protocols and procedure enumerated by the Government.

The No Objection Certificate from the National Highway Authority of India is lacking. The Gram Panchayet is not the owner of the land in question and does not have any authority to grant permission to the petitioner to perform the Puja in the land of the Highway Authority.

The report further mentions that the proposed site for performing the Puja is adjacent to National Highways 16. If permission is granted there is every chance for encroachment of highway which may result in obstruction of free flow of traffic.

Upon perusal of the documents placed before this Court and the report of the Officer-in-Charge, Sankrail Police Station HPC, the petitioner's prayer for permission of performing the Puja at the site cannot be accepted.

The writ petition is dismissed.

(Amrita Sinha, J.)