

20.11.2023.
Court No.13
Supple Item No. 1
ap

W.P.A. No. 26219 of 2023

**Samir Chalak
Versus
The State of West Bengal & Ors.**

Mr. Rajdeep Mazumder,
Mr. Moyukh Mukherjee,
Ms. Sagnika Banerjee.

...For the petitioner.

Sk. Md. Galib,
Mrs. Sujata Mukherjee.

...For the State.

1. The petitioner wanted to hold a Padoyatra on the 17th of November 2023, commencing from B.D.O. Office more at around 2:00 P.M. and passing through Anaj Bazar Bibekananda Club-Eleven Bullets Club-Chourasta More and Netaji More areas under Kotulpur Police Station, Bankura and had applied on 3rd November, 2023 in this regard.
2. The permission for the same eventually came from B.D.O., Kotulpur on 17th November, 2023 i.e. the date of the rally itself.
3. The petitioner thereafter has filed the instant writ application. It is submitted that the according of permission on the date of the Padoyatra by the Sub-Divisional Officer, Bankura, has frustrated the object and purpose of the rally itself. It is unlikely that the petitioner would be able to inform their supporters for the Padoyatra in question.

4. Mr. Majumder, Counsel for the petitioner has across the bar proposed 25th November, 2023 as a date of the Padoyatra at 2:00 P.M. on the same route. Since it is a Saturday and schools would be closed, there are no religious processions or rallies on the said date.

5. Mr. Galib, Counsel for the State, submits that another formal application is warranted from the petitioner in this regard.

6. Having regard to the delay that has already occurred earlier, this Court directs the Sub-Divisional Officer, Bankura and the Officer-in-charge, Kotulpur Police Station to accord permission to the petitioner for holding Padoyatra on the same date and time. Appropriate reasonable guidelines for holding the Padoyatra may be communicated to the petitioner by tomorrow at 5:00 P.M.

7. The instructions of Officer-in-charge, Kotulpur Police Station addressed to the State Advocate filed in Court today be taken on record.

8. With the aforesaid directions, the instant writ petition shall stand disposed of.

9. There will be no order as to costs.

10. All parties are directed to act on a server copy of this order duly downloaded from the official website of this Court.

(Rajasekhar Mantha, J.)

