

HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION

Present:

THE HON'BLE JUSTICE JAY SENGUPTA

WPA 811 of 2024

Kalighat Bahumukhi Seva Samiti

Versus

The State of West Bengal and others

For the petitioner Mr. Tarunjyoti Tewari

For the State Mr. Amitesh Banerjee
 Mr. Rudrajit Sarkar
 Mr. Suddhadev Adak

For the KMC Mr. Alak Kumar Ghose
 Mr. Arijit Dey

Heard on 17.01.2024

Judgment on 17.01.2024

JAY SENGUPTA, J:

This is an application praying for a direction upon the respondent Authorities for allowing the petitioner to organize the live telecast of inauguration of Shri Ram Mandir and to perform puja by constructing a temporary stage at a place in South Kolkata on 22nd January, 2024 from 9 am to 9 pm.

Affidavit of service filed in Court is taken on record.

Learned counsel representing the petitioner submits as follows. The petitioner prayed before the police authorities for granting permission for holding the ceremony, for visual display of the inauguration ceremony of Shri Ram Mandir on giant screen and to hold 'Puja Archana', 'Sankirtan' and 'Arati', then 'Bhog Prasad bitaran' on the said date and time at 1/1A, Nepal Bhattacharjee Steet, Kolkata-700026. This was objected to by the State. The municipal authorities were notified by e-mail on 15.01.2024 in the evening. After further consultation, the petitioner has decided to hold the ceremony/function at Deshpran Sasmal Park, 22-49 Rashbehari Avenue, Kolkata-700026 for a period commencing from 9 am and ending at 6 pm.

Learned senior counsel representing the State submits that the alternative venue suggested by the petitioner is acceptable. However, the organisers may be requested to conclude the function by 4 pm because a portion of the park is used by children for physical activities like gymnastics from 4 pm.

At this stage, learned counsel representing the petitioner also submits that they would occupy only a portion of the park and the participants would be around 50-60 in number. Therefore, if the children come to the park to do their activities at 4 pm, no hindrance will be caused by the participants.

Learned counsel appearing for the KMC submits that the petitioner may be permitted to hold the programme on the said date from 10 am to 2 pm.

It appears that at least the venue of the programme being the Deshpran Sasmal Park could be agreed upon by the parties.

The petitioner is, therefore, permitted to hold the function on 22nd January, 2024 from 9 am to 6 pm on a portion (roughly, half) of the Deshpran Sasmal Park. The number of participants in the programme shall not exceed 60(sixty).

The Police Authorities shall render necessary help, if required.

The petitioner shall abide by the necessary norms regarding the use of the sound equipments and other prevailing laws.

After the programme is over, the petitioner shall clean the area so that the normal activities can be resumed there.

With the aforesaid observations, the writ petition being WPA 811 of 2024 is disposed of.

Urgent certified copy of this order, if applied for, be supplied to the parties upon compliance of all requisite formalities.

Parties shall act on a server copy of this order duly downloaded from the official website of this Court.

(Jay Sengupta, J)

SG