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17.01.2024
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Ct. 14

WPA 979 of 2024

Mahadeb Maity & ors.

-vs-

The State of West Bengal & ors.

Mr. Debajyoti Deb

Mr. Pabitra Biswas

...for the petitioners

Mr. Amal Kr. Sen, Ld. AGP

Mr. Lal Mohan Basu

...for the State

Learned counsel appearing on behalf of the petitioners submits as follows. After considering the objections given by the respondent authorities about holding the procession under main Arterial Road for a stretch of three kilometers and for holding a demonstration in front of the Karigori Bhawan, the petitioners have decided to modify their prayer. They are praying to hold a rally in the 1.5 kilometers' service road starting from Unitech Gate No.2 and ending at the Karigori Bhawan. The participants shall not exceed 700 in number. They shall hold the rally on the left flank of the service road keeping the other flank open. So far as the sit-in demonstration is concerned, the participants can have the same in front of Sourav Ganguly Cricket Academy where similar demonstrations have been allowed earlier. They would like to continue the demonstration for 7 days.

Learned AGP representing the State submits as

follows. So far as the alternate route for the rally is concerned, if the participants confine themselves to the left flank of the service road as mentioned, the police would be able to grant permission and arrange for necessary security. However, the Book Fair is going to be held tomorrow i.e. on 18.01.2024 at Karunamoyee. Therefore, till the book fair ends, no sitting demonstration can be allowed in the nearby area.

In view of the respective submissions and in the interest of justice, the petitioners and their associates are allowed to hold the rally in question at the 1.5 kilometers stretch of the service road starting from Unitech Gate No. 2 and ending at the Karigori Bhawan. The participants in the rally shall confine themselves to the left flank of the said service road. The rally shall take place on Friday i.e. on 19.01.2024 between 10 A.M. and 12 noon. At the completion of the rally, two representatives of the petitioners shall be permitted to go to the Karigori Bhawan and give their representation before the Principal Secretary, Department of Technical Education, Training and Skill Development/respondent no.2 or before any authorized representative available.

It is made clear that no foul language shall be used by the participants. Nor shall there be any provocation to violence. If loud speakers are used, the same shall conform to the sound regulations.

The police shall make necessary arrangements to

facilitate the march. The entire rally shall be videographed by the police authorities.

So far as the issue of sit-in demonstration is concerned, the petitioners shall be at liberty to make a fresh representation before the concerned police authorities for holding any such demonstration in front of the Sourav Ganguly Cricket Academy after the book fair is over.

With these observations, the writ petition is disposed of.

Urgent photostat certified copy of this order be supplied to the parties, if applied for, as early as possible.

(Jay Sengupta, J.)