

January 19, 2024
AD 9
Ct. No.14
SG

WPA 1389 of 2024

Tapan Mondal
vs.
The State of West Bengal and others

Mr. Billwadal Bhattacharyya
Mr. Srijib Chakraborty
Mr. Tarunjoyti Tewari
Mr. Anish Kumar Mukherjee
Mr. Suryaneel Das
Mr. Chiranjit Pal
Mr. Prodip Kumar Mondal
... for the petitioner

Mr. Amitesh Banerjee
Mr. Debangshu Dinda
... for the State

Supplementary affidavit filed by the petitioner is taken on record.

Learned counsel appearing for the petitioner submits as follows. The petitioner wants to organise a programme on 22nd January, 2024 on the auspicious occasion of “Pran Pratistha of Lord Ram at Ayodha” at the Pubachal Culvert from 10 am to 10.30 pm. The permission has been sought in this regard, but the permission has been refused. The grounds are also vague. The alternative venue suggested by the State is actually quite far away about 800 m. from the venue selected.

Learned senior counsel appearing for the State upon instructions submits that the place where the petitioner intends to have the programme is used by JCBs and other vehicles to transport equipment and

materials for public construction work that is going on nearby. A more convenient place where the said programme can be organised would be near 68/9 Ramkrishnanagar Lake Road. It is some distance away from the place sought to be used as the venue. The road is about 22/24 ft. wide.

At this stage, learned counsel for the petitioner submits that let the petitioner hold the programme at the venue selected. They shall utilise only less than half of the road in question and would keep the other portion free for vehicular traffic including for the passage of JCBs. Number of participants would also be limited to 50.

In view of the above, let the petitioner hold the programme at the venue, date and time selected. But, they shall occupy less than half of the stretch of road keeping the other flank open for vehicular traffic including passage of JCBs. Number of participants should be limited to 50.

The participants shall adhere to prevailing laws and sound norms.

The police authorities shall keep a vigil and maintain peace.

With these observations, the writ petition is disposed of.

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

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

[Jay Sengupta, J.]