

January 19, 2024
AD 12
Ct. No.14
SG

WPA 1404 of 2024

Rajeev Sinha
vs.
The State of West Bengal and others

Ms. Priyanka Tibrewal
Mr. Suryaneel Das
... for the petitioner

Mr. Amitesh Banerjee
Ms. Ipsita Banerjee
Mr. Rudrajit Sarkar
Mr. Debangshu Dinda
... for the State

Copies of photographs filed in Court are taken on record.

Learned counsel appearing for the petitioner submits as follows. The petitioner wants to organise puja of Lord Ram, 'Bhajan' and 'Kirtan' on 22nd January, 2024 on the auspicious occasion of "Pran Pratistha of Lord Ram at Ayodha" in front of 19/A/B, Muktaram Babu Street, Kolkata – 700007 near Sabitri Girls' College from 8 am to 3 pm. Similar programmes had earlier been held at the said venue, even on working days. On 18th January, 2024 a programme was organised by the local wing of a national political party and a permission was granted for the same. The petitioner would hold the programme by using only one-half/side of the road and keeping the other side open for vehicular traffic. The participants shall also not block the front portion or the approach road from one side to the college. All prevailing

laws including sound pollution norms shall be adhered to. There would be about 50/60 participants in the said programme.

Learned senior counsel appearing for the State submits as follows. The permission for the last day's meeting was given only after 5 pm. Permission is usually not granted for programmes which take place during the college hours. However, if any permission is granted, a portion of the road may be kept open for vehicular traffic, ingress and egress to the college and the passage for the same may not be encumbered.

In view of the above, the petitioner is permitted to hold the said programme on 22nd January, 2024 from 10.30 am to 3 pm with a total number of participants of about 50/60. The petitioner shall nominate two persons who shall be held responsible for holding such programme and their names should be supplied to the police authorities. They shall also engage volunteers to ensure convenience of the local residents.

The participants shall keep the other side/half of the road open for vehicular traffic. They shall hold the gathering on one side of Sabitri Girls' College keeping free a clear passage for the college.

The participants shall adhere to the prevailing laws including the sound norms.

The police shall also keep a sharp vigil at the locale and ensure that no breach of peace takes place.

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.]