

Suppl. 01 19.01.2024
NB Ct. 14

WPA 1454 of 2024

Jorasanko Young Boys Club & Anr.
Vs.
The State of West Bengal & Ors.

Mr. Brajesh Jha,
Mr. Tarunjyoti Tewari,
Ms. Megha Dutta,
Mr. Neel Chakraborty,
Mr. Pradip Kr. Mondal
...for the petitioners.

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

Affidavit of service filed on behalf of the petitioners is taken on record.

Learned counsel appearing on behalf of the petitioners submits as follows. The petitioners want to organise a gathering at M.D. Road Posta 5 Point crossing, near Posta Ganesh Mandir to organise a live telecast of the Ram Mandir Consecration Ceremony along with Bhajan Sandhya. For this purpose, a 'mandap' will be built and sound boxes will be used as per guidelines of this Court. Thereafter, there shall be a programme of lighting of 2100 lamps from M.D. Road, Nawab Lane to K.K. Tagore Street and Jagannath Ghat. The petitioners are agreeable to scale down the size of the mandap/stage. On the last two days, an organisation owing allegiance to the ruling political dispensation had held a

programme with a far bigger stage and by covering a number of houses with their temporary structure.

Learned senior standing counsel representing the State submits as follows. If such structure is permitted to be held, let the organisers scale down the size of the stage and also indicate which of their members will be held responsible in the event anything goes wrong. It also has to conform to the norms regarding pollution including sound pollution.

It does not appear that there is an impediment in holding the programme as sought by the petitioners at the venue as similar programmes, perhaps of greater proportion, have been held there earlier.

Therefore, the petitioners are allowed to hold such programme on 22.01.2024.

However, let the organisers name four individuals who are members of the organisation as the person who would be responsible for the conduct of the programme. They shall abide by all prevailing laws including the norms regarding sound limits.

The petitioners and the participants shall take good care that no harassment or inconvenience is caused to the local residents. They shall construct a temporary stage at a convenient place of a size not exceeding 10/6 sq.ft. The function will be held between 9am and 8pm. The participants shall not block the entire road, but restrict themselves to any one side of the road keeping at least sufficient place for plying of vehicles.

The police authorities shall deploy sufficient number of personnel and ensure that no harm is done to the participants and the passersby.

With these observations, the writ petition is disposed of.

Urgent photostat certified copy of this order may be supplied to the parties expeditiously, if applied for.

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

(Jay Sengupta, J.)