

Item No. 02
Supple 1

In the High Court At Calcutta
Constitutional Writ Jurisdiction
Appellate Side

28.03.2024
Ct-24
AGM

WPA 9022 of 2024

Amdol Hindu Milan Mandir & Anr.
v.
State of West Bengal & Ors.

Mr. Krishnendu Sarkar.
Mr. Anindya Sundar Das.
Mr. Syed Ali Afzal.
Mr. Subrata Mandal.
Mr. Ratul Deb Banerjee.
Ms. Paramita Mondal.
... For the petitioners.

Mr. Amal Kumar Sen, AGP.
Ms. Ashima Das (Sil).
... For the State.

Leave granted to the learned advocate on record of
the petitioners to amend the description of the
respondent no. 5 in the cause title of the writ petition.

Paikar Police Station shall be read in place and
instead of Amdole Police Station.

Petitioner no. 1 is a Registered Society and the
petitioner no. 2 is one of the office bearers of the said
Society. Petitioners submit that for a period of last 37
years they organized an annual religious festival and a
religious procession is conducted as a part of the said

festival. This year the procession shall be held on 1st April, 2024 from 8 a.m. till 11 a.m.

In the religious procession various musical instruments, tableau, band, dhak, dhol are played and various cultural activities like tribal dance are performed by the students of the local primary schools.

An application has been made seeking permission before the Officer-in-Charge, Paikar Police Station clearly mentioning the route which the procession will follow and the members of the procession will not be more than thousand.

The application which was filed on 21.03.2024 is pending consideration before the police.

Learned advocate representing the State respondents has obtained instruction from the Officer-in-Charge, Paikar Police Station.

It appears there from that a discussion was held between the members of the petitioner no. 1 and the police. The police has proposed some changes in the existing route in which the petitioners intend to conduct the procession. The route, however, is yet to be finalized.

As the prayer of the petitioner seeking permission for holding procession is still under consideration, the Court directs the Officer-in-Charge of the police station to grant an opportunity of hearing to the representative

of the petitioner no. 1 and finalize the route through which the procession may pass.

A decision shall be taken in the matter at the earliest but positively by 30th March, 2024 so that the petitioners are able to make all necessary arrangements for the procession.

The petitioners are required to keep in mind that no illegal act or activity, which may be treated as an offence, takes place during the procession. The procession shall be held in a very peaceful manner without any arms and without any unnecessary provocation to the public in general. Law shall be strictly maintained at the time of the procession.

The instruction forwarded by the Officer-in-Charge, Paikar Police Station be retained with the records.

The writ petition stands disposed of.

Urgent certified copy of this order, if applied for, be supplied to the parties expeditiously, on compliance of usual legal formalities.

(Amrita Sinha, J.)