

16.04.2024
Sl. No.23
g.b.
Court No.14

W.P.A. 10800 of 2023

Arindam Pramanick & Anr.
-Vs-
The State of West Bengal & Ors.

Mr. Anindya Ghosh
Mr. Apurba Ghosh
Mr. Pronojit Roy
Mr. Sekhar Mukherjee
Mr. Anindya Chowdhury
... for the petitioners
Mr. Amal Kr. Sen
Ms. Ashima Das (Sil)
.....For the State

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

Reports filed on behalf of the State are also taken on record.

Learned counsel on behalf of the petitioners submits as follows: The petitioners want to organize a religious procession on the occasion of Ram Navami on 17.04.2024. The procession will be begin at 3.00 p.m. and end at 6.00 p.m. There will be a gathering of about 2,000 people and a few vehicles will be a part of the procession. They had been holding puja for the last 12 years. Last year, the petitioners' prayer to take out a procession was turned down on the penultimate day. That is why the petitioners could not approach this Court then. This year too the petitioners applied for taking out such procession, but the same was turned down on 09.04.2024.

Learned counsel representing the State relies on the reports and submits as follows: The petitioners have never been allowed to take out such procession earlier. The length of the route, which is about 3 kilometers,

passes through certain congested areas. It will be difficult to manage a crowd of 2,000 people on such route.

Every citizen has a right to express himself and practise his religion, albeit, subject to reasonable restrictions.

In the present case there is no such report coming from the State that the area is highly sensitive or there is any history of offences being committed on the occasion of similar events.

In view of the above, let the petitioners be permitted to take out the procession on the occasion of Ram Navami celebrations on 17.04.2024 between 2 p.m. and 5 p.m., however, subject to the following conditions:

- (a) At any point of time, the total number of participants shall not exceed a number of about 200. In order to ensure that the number of participants is limited to 200, the petitioners shall make necessary announcements and issue leaflets, if required.
- (b) The organisers shall nominate 2 persons from amongst themselves who shall be held responsible for conducting the procession.
- (c) No vehicles shall be permitted in the said procession except for the one, which may carry a tableau and the idol of Lord Rama.
- (d) The participants shall not carry or brandish any arms or weapons.
- (e) The participants and the organisers shall not use any foul language or incite violence.
- (f) Since the model code of conduct for the Elections is now in operation, the participants shall abide by the same.
- (g) The participants shall also abide by relevant pollution norms including sound norms. Only normal sound system should be used. No

disc jockey shall be allowed in the said procession.

- (h) The participants in the procession shall not halt or pause at any place and would continue to gradually proceed towards their final destination.

The police authorities, on their part, shall ensure that they deploy adequate number of armed personnel to ensure peace and to see that no harm ensues either to the participants or to the residents and the passers-by.

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.)