

21.06.2024
Ct. No. 14
ADSl. No.1
KB

**In The High Court at Calcutta
Constitutional Writ Jurisdiction
Appellate Side**

WPA 16113 of 2024

**Brajesh Jha
Vs.
State of West Bengal & Ors.**

Mr. Subhas Ray
Mr. Gouranga Kumar Das
Mr. Nilanjan Bhattacharjee
Ms. Megha Datta
... For the petitioner.

Mr. Amitesh Banerjee, Sr. Standing Counsel
Mr. Akash Dutta
... For the State.

The petitioner claims to be a member of a philanthropic organization under the name and style 'Banga Bibek'.

The petitioner intends to take out a peaceful rally on 24th June, 2024 (Monday) starting from Subodh Mullick Square at around 2 P.M. and culminate at Rani Rashmoni Road where a short meeting will be held and at the end a deputation to be submitted before the Hon'ble Governor. The writ petition mentions that approximately 500 people shall participate in the rally.

Application for obtaining permission to hold the rally was made before the Joint Commissioner of Police on 15th June, 2024. As no response has come

from the end of the police, the instant writ petition has been filed.

As per Article 19(1) (b) of the Constitution of India all citizens have the right to assemble peaceably and without arms.

The petitioner has mentioned that the organization is an apolitical one and the rally will be peaceful. Oral undertaking to the above effect that the rally will be peaceful has been given by the learned advocate representing the petitioner in Court.

In view of the above, the petitioner is permitted to hold the rally on the scheduled date, time and place. The petitioner shall strictly ensure that the rally is peaceful. None of the members of the rally shall carry any arms, weapons or fire arms. The members shall not indulge in provocative speeches so as to disturb the peace and harmony of the locality.

As regards the visit to the Governor's House, the same shall be subject to the permission obtained from the secretariat of the Hon'ble Governor upon maintaining the prescribed protocols.

As the date of the rally is scheduled on the first working day of the week, the petitioner shall ensure that the number of members attending the rally shall not be more than 300.

The writ petition stands disposed of.

Urgent Photostat certified copy of this order be supplied to the parties, if applied for, as early as possible.

(Amrita Sinha, J.)