

08.10.2024
Item No. 12
Ct. No. 01
AN/RP

MAT 1984 of 2024
with
IA No. CAN 1 of 2024

Indrajit Chakraborty
Vs.
State of West Bengal & ors.

Mr. Indranil Nandi
Mr. Sayak Konar

... For the Appellant

Md. Mokaram Hossain

... For the State

Mr. Saikat Chatterjee
Mr. Nishan Dey

... For respondent 8-15

Mr. Debjit Mukherjee
Ms. Debangana Dey Nayak

... For the K.M.C.

1. We have heard learned counsel for the respective parties at length.

2. This intra-Court appeal filed by the writ petitioner is directed against the order dated 03.10.2024 passed in WPA 22220 of 2024 by which the appellant/writ petitioner challenged the action of the State authorities in granting permission to the private respondents to hold the Durga Puja for the year 2024. Admittedly, a civil suit is pending and an order of injunction is in force as passed by the learned 3rd Civil Judge, Senior Division, Alipore,

South 24 Parganas in Title Suit No. 1379 of 2023 in respect of the Schedule A and Schedule B properties as described in the plaint schedule. As of now, the Puja Pandal has been erected and the deity has also been installed and, therefore, it will be inequitable to issue any directions to the authorities to review the permission which was granted. However, taking note of the fact that the private respondents are the parties to the civil suit and till date they have not taken any steps to vacate or modify the order of injunction granted by the learned trial court, we direct that the Durga Puja this year shall be performed in the place where the deity has already been installed and the private respondents are directed to dismantle the Puja Pandal by 15.10.2024. It is also made clear that no other activities like Lakshmi Puja, Kali Puja or Jagadhhatri Puja shall be conducted in the said property and the private respondents are at liberty to approach the civil court for appropriate relief in the pending suit.

3. With the above directions, the appeal stands **disposed of**. Consequently, the connected application also stands disposed of.

(T. S. Sivagnanam)
(Chief Justice)

(Bivas Pattanayak, J.)

