

08.11.2024
Item No.4
Ct. No.35
dc.

W.P.A. 26613 of 2024

Ashis Khamrai
versus
The State of West Bengal & Ors.

Mr. Koustav Bagchi,
Mr. Debayan Ghosh,
Ms. Priti Kar ... For the Petitioner.

Mr. Kishore Dutta, Advocate General,
Mr. Amitesh Banerjee, Sr. Standing Counsel,
Mr. Sirsanya Bandyopadhyay,
Mr. Debangshu Dinda ... For the State.

The petitioner has approached this Court with a prayer for arranging a “Peaceful Day Night Sit In Demonstration Protest” on and from 11th November, 2024 to 13th November, 2024 at “Location-Nabanna Bus Terminus, Address: Kazipada, Shalimar, Howrah-711103, West Bengal”.

Mr. Bagchi, learned advocate appearing for the petitioner was confronted with a question from the Court as to what is the purpose of such sit-in demonstration at such a location when the learned advocate replied that in order to draw the attention of the administration, the petitioner along with others who had been for long pursuing their grievance, they intend to arrange the said protest at the said location.

In the representation which has been enclosed along with this writ petition, it has been contended that the demonstrators intend to meet

the Hon'ble Chief Minister and announce the end of the programme.

Learned Advocate General and the learned Senior Standing Counsel appear on behalf of the State.

After much deliberation, it seems that the State would be comfortable if such a demonstration is arranged at "**Mandirtala Bus Stand**". Accordingly, the petitioner along with his associates are allowed to arrange such demonstration on 11th November, 2024 and 12th November, 2024. At the end of the demonstration on 12th November, 2024, the petitioner will constitute a 5-Member Committee who would be allowed to meet the Chief Secretary at his office between 4 P.M. to 5 P.M. The said Committee would submit their deputation and/or demands before the Chief Secretary.

On behalf of the State, certain conditions have been forwarded to this Court. The same are set out as follows :

"i) Let the petitioner and his associates hold a peaceful "Dharna" with not more than 100 supporters on 11th November, 2024 and 12th November, 2024 at "Mandirtala Bus Stand".

ii) The stage that is to be erected by the petitioner for peaceful "Dharna" should not be more than 12 feet by 15 feet.

iii) The petitioner shall abide by all the conditions for holding such peaceful “Dharna” and the “Dharna” shall not cause any undue obstruction to public at large.

iv) The police authorities shall make necessary arrangements for security with good number of personnel so as to ensure that no breach of peace takes place.

v) The police arrangements would be made under the supervision of the Officer-in-Charge of the concerned police station.

vi) Demonstration shall be held subject to observance of rules in relation to noise pollution and without causing any inconvenience to the public at large.

vii) The place of demonstration shall be appropriately cleaned after the demonstration.”

The petitioner undertakes that he along with his associates would abide by the aforesaid conditions so imposed.

With the aforesaid observations, the writ petition being WPA 26613 of 2024 is disposed of.

There shall be no order as to costs.

All concerned parties shall act on the server copy of this order duly downloaded from the official *website* of this Court.

Urgent photostat certified copy of this order,
if applied for, be supplied to the parties upon
compliance with all requisite formalities.

(Tirthankar Ghosh, J.)