

D/L  
Item No. 25  
12.12.2024  
KOLE

**WPA 29302 of 2024**

**Sri Swapan Kumar Roy**  
**-vs.-**  
**The State of West Bengal & Ors.**

*Mr. Mrinal Kanti Ghosh,*  
*Mr. Kartick Ch. Kapas,*  
*Mr. Chandra Nath Sarkar,*

*...for the petitioner.*

*Mr. Jaideep Banerjee,*  
*Mr. Raja Ram Banerjee,*

*...for the State.*

*Mr. Manabendra Thakur,*  
*Mr. Swarup Kumar Ghosh,*

*...for the private respondents.*

The petitioner alleges that the private respondents along with certain organizers are adamant in organizing Khudiram Mela and the same is being done by uprooting the plantations of the present petitioner. To that information was submitted to the Officer in Charge, Ghatal Police Station on 19.11.2024 and 02.12.2024 but no action has been taken by the Police Authorities.

Learned Advocate appearing for the private respondents submits that earlier the writ petitioner approached this Court by way of WPA 18282 of 2023 and WPA 27781 of 2023. He further submits that they may be organizing a fair but with consent in the land of the present petitioner. He also submits that there is a civil suit pending.

Learned Advocate for the State submits a report. Let the same be kept with the records. A copy of the same has been made available to the learned Advocate for the

petitioner as well as the learned Advocate for the private respondents.

The report says that at present case under Section 126 of the BNSS has been drawn vide Ghatal PS NCR No. 639 of 2024 dated 07.12.2024.

In view of the contention advanced by the private respondents, I direct that without the permission of the present petitioner, provided the land belongs to the petitioner, no fair would be conducted on the land of the petitioner.

It is further directed that the administration will grant permission only if the owner of the land grants permission for allowing the private respondents to organize such fair.

Police Authorities are directed to keep a strict vigil over such issue and no untoward incident occurs because of the existing inimical relationship between the petitioner and the private respondents.

With the aforesaid observations WPA 29302 of 2024 is disposed of.

Urgent certified copy of this order be given to the parties upon compliance of usual formalities.

**( Tirthankar Ghosh, J. )**