

13.12.2024

Item No.1

dc.

Ct.No. 35

**IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION
APPELLATE SIDE**

WPA 29831 OF 2024

Anupam Bera

Vs.

The State of West Bengal & Ors.

Mr. Brajesh Jha,
Mr. Rajen Banerjee,
Mr. Gouranga Das,
Mr. Abhijit Saha ... For the Petitioner.

Mr. Amitesh Banerjee, sr. standing counsel,
Mr. Akash Dutta
... For the State.

Ms. Rini Bhattacharyya
... For the Respondent No.5.

Affidavit-of-service filed in Court today be kept with
the record.

The petitioner and his associates intend to organise a meeting on 16.12.2024 at Southern flank of Rani Rasmoni Avenue, Kolkata from 12 Noon to 4 P.M.

The conditions so imposed by the State and the instruction-sheet of the Officer-in-charge, Law Section, KPD which is handed over by Mr. Banerjee, learned senior standing counsel appearing for the State be kept with the record.

The petitioner and his associates are allowed to organise such meeting subject to the terms proposed by the State which are set out as follows :

“1. The number of participants in should not exceed the number given by both the organisers;

2. Stage size should not exceed beyond 20 X 10 ft, if any;

3. Stage should be erected in the Southern flank of the Rani Rasmoni Avenue and the organizers should confine the participants to that flank only. Rest two flank of the said road should remain clear in order to avoid traffic congestion & public inconvenience;

4. Installation of sound system and its usage has to be limited and also in consultation with the local police station. The sound system has to be fitted facing towards Dorina Crossing and limited to Rani Rasmoni Avenue only;

5. Loudspeakers shall be used within the permissible limits as prescribed by the Hon’ble High Court, Calcutta and West Bengal Pollution Control Board;

6. Participants should not congregate or make any kind of obstruction at Dorina Crossing, Rani Rasmoni Avenue except southern flank or any other adjacent road;

7. Speeches capable of inciting violence, provocative speeches and abusive language will not be permitted;

8. The organizers and the volunteers whose name was given with the application will be responsible for any violation of the Order of the Hon'ble High Court;

9. The participants in the said Dharna shall act in a manner to ensure that there is no damage to

public property, assault on any Government Servant or any other transgression of law;

10. The participants shall act in a manner to ensure that no inconvenience whatsoever shall be caused to the public at large;

11. The participants at the rally should be dispersed immediately after the specified time fixed for conclusion of the said Dharna;

12. All other existing rules in vogue should strictly be adhered to.”

So far the issue of number of participants is concerned, the organizers would limit the same as per the space available so that it would not make them responsible for any untoward incident.

Mr. Brajesh Jha, learned advocate appearing for the petitioner undertakes that he would abide by the conditions so imposed.

With the aforesaid observations, the writ petitioner being WPA 29831 of 2024 is disposed of.

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 of all requisite formalities.

(Tirthankar Ghosh, J.)