

HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION

Present:

THE HON'BLE JUSTICE JAY SENGUPTA

WPA 501 of 2025

Jagbir Singh

Versus

The State of West Bengal & Ors.

For the petitioner : Mr. Moyukh Mukherjee
Ms. Sagnika Banerjee
Ms. Sarmistha Basak

For the State : Mr. Amitesh Banerjee
Mr. Akash Dutta

Heard on : 08.01.2025

Judgment on : 08.01.2025

JAY SENGUPTA, J:

This is an application praying for direction upon the respondent authorities to accord all necessary permissions for organizing a protest rally on 09.01.2025 from 1 PM to 5 PM

starting from the Rabindra Sadan Metro Station and ending at the National Library.

Learned counsel appearing on behalf of the petitioner submits as follows. The petitioner is the office bearer of a local committee of an opposition political dispensation of the State. The petitioner wants to organize a protest rally against the illegal commercialization of Alipore Zoo on 09.01.2025. There will be about 1500 participants in the rally. The rally will proceed from the Rabindra Sadan Metro Station and culminate at the National Library. The route would be through the Rabindra Sadan Metro Station- PTS Crossing- Alipore Zoo – National Library. The petitioner undertakes to abide by all existing norms of law and organize such rally in a peaceful manner. Although a permission has been sought in this regard before the respondent police authorities, the same has not been responded to as yet.

Learned senior counsel representing the State denies the allegations made in the writ petition and submits as follows. If the petitioner holds the rally between 13:00 hrs and 17:00 hrs on a working day, it will clog the entire route and the traffic even from Howrah towards and away from the city would get severely disrupted. There are two hospitals in the route. The time and number of participants need to be restricted, if at all a permission is to be granted for such rally.

Citizens have a right to protest, however, subject to reasonable restrictions.

It appears that if the number of participants and that time for which the rally is to take place are modified to a certain extent, the same would not cause much disruption in the traffic in the area.

In view of the above, let the petitioner organize such rally starting from the Rabindra Sadan Metro Station and passing through PTS crossing- Alipore Zoo and culminating at the National Library on 09.01.2025 between 12 Noon and 15:00 hrs. The number of participants in the rally shall be restricted to about 1000. The organizers shall follow all applicable laws including the norms regarding sound pollution and the like. The organizers shall also ensure that no incitement to violence takes place from the rally.

With these observations, the writ petition is disposed of.

As affidavits were not called for, the allegations made in the writ petition are deemed not to have been admitted.

Parties shall act on a server copy downloaded from the official website of this Court.

(Jay Sengupta, J)

