

29.01.2025
Item Nos. 99
AN/Ct. No. 35

WPA 1612 of 2025

**Alamgir & ors.
vs.
State of West Bengal & ors.**

Mr. Ayan Borai
Mr. Amanul Islam
Mr. Sourav Mukherjee

... for the petitioners

Mr. T. Mukherjee
Mr. Samrat Paul
Mr. M. Mukherjee

... for added respondent

Mr. Suman Ghosh
Mr. Gourav Das

... for the State

Petitioners have approached this Court as according to them there has been incidents of murder having taken place in close proximity of time as well as the ensuing Class X Board Examination which is scheduled to be held on and from first week of February, 2025.

According to the petitioners, the period during which such fair/mela is to be conducted/held and the examinations which are scheduled to be held may have a conflict which is bound to create a detrimental effect upon the students who will be appearing in the examination. Petitioners as such submit that this Court should interfere and prevent such fair/mela from being conducted at the said location/venue.

The State has filed a report which reflects that all due permissions were taken from the concerned authority who are conducting/holding such fair/mela. The State is confident that they would be able to exercise their power for preventing any law and order crisis and in fact submits that since such fair/mela had been held for last 60 years and there is no complaint till date regarding any untoward incident resulting from the said fair/mela, there is no reason for interference by this Court. Further, it has been submitted that the emotions of majority of local people with the said fair/mela is attached as the same has been continuing for such a long period of time. Additionally, it has been contended that the present petitioners who have approached this Court, has for reasons on personal grounds are intending to close the fair/mela and there is a dispute with the organisers who are presently involved with conducting such fair/mela.

Learned counsel for one of the affected parties are represented. However, since the State has already taken a stand that they would be able to conduct such fair/mela in a peaceful manner and the history does not reflect that any untoward incident having taken place, I am of the view that interference of this Court is unwarranted in this case, however, I direct the State Administration to deploy adequate forces both from the Civil Administration as well as the Police Force so that any crisis arising during the course of such fair/mela may be dealt with by firm hand.

The Organisers would handover a list of members who would be responsible for such fair/mela to the Administration, the loud speakers be tuned within the decibel limit as fixed by the West Bengal Pollution Control Board so that it do not affect the students who may be staying at places in adjacent areas. Volunteers, police force may be engaged to control any congestion in the area. Fire safety measures should also be taken care of by the Administration if they are of the view that there may be adequate gathering in course of the fair/mela.

With the above observations, the instant writ petition being WPA 1612 of 2025 is **disposed of**.

The report so submitted be kept with the record.

Urgent photostat certified server copy of this order, if applied for, shall be given to the parties as expeditiously as possible on compliance of all necessary formalities.

(Tirthankar Ghosh, J.)