

Item.9

05.02.2025
ssi

Ct. 17

**WPA 2540 of 2025
CAN 1 of 2025**

Deshma Ghosh

-vs-

The State of W.B. & others.

Mr. Saptansu Basu, Ld. Sr. Adv
Mr. Biswaroop Bhattacharjee
Mr. Arkadipta Sengupta
Mr. Sumitava Chakraborti
Mr. Sankha Biswas
Mr. Ankan Das
Mr. Abhrajit Roy Chowdhury
Mr. Sk. Md. Wasim Akram
Ms. Shradhya Ghosh

...for the petitioner

Mr. Anirban Roy, Ld. GP
Mr. Swapan Banerjee, Ld. AGP
Mr. Amit Gupta

...for the State

Mr. Neil Basu

...for the respondent nos. 4 & 7

Mr. Arka Kr. Nag
Mr. Rahul Kr. Singh

...for the respondent no.6

Mr. Phiroze Edulji, Ld. Sr. Adv
Mr. Debanik Banerjee
Mr. Akash Ganguly
Mr. Huzdifa Shahid

...for the Intervenors

Report filed on behalf of the State is taken on record. It includes a Pen Drive purportedly containing relevant video footages including that of removal of the unauthorised structure in question.

Learned senior counsel appearing on behalf of the petitioner submits as follows. Certain Anti Social Elements,

some of whom were earlier pass-outs/alumni of the Day College, are threatening the petitioner and other students of the Colleges with life and other harm. Those outsiders are being aided by the local police authorities. Complaints have been made in this regard, but have not been acted upon.

Learned counsel appearing on behalf of the Principal of the Day College files an application stating about the sequence of events that took place in the college in question. In fact, the Principal was first asked to step down from his office and thereafter, effectively prevented from conducting the Puja properly.

Learned senior counsel representing the Intervenors, supposedly some students of the Day College, submits that their rights have been affected, in as much as, they are not allowed to perform Puja because of inaction on the part of the Principal.

On 31.01.2025, an unauthorized structure was directed to be removed from the College premises and the Principals of the Day College and the Law College were granted liberty to designate/nominate the presence of the students of the college for conducting respective Saraswati Puja.

It appears that the police authorities had removed the illegal structure in time and provided necessary police security at the premises, as directed by this Court.

It also appears that Saraswati Puja was held by the Law College students. So far as the Day College is

concerned, a Puja was performed under the aegis of the Principal, albeit in a curtailed manner.

The issue of availability of funds had not been gone into by this Court.

Therefore, it appears that the order passed by this Court has been substantially complied with by all the authorities including the police.

Therefore, no further order need be passed in this regard.

However, if the petitioner and other students have any grievances about illegal activities of threats and the like meted out by certain alumni of the College, they shall be at liberty to file necessary complaints before the police, which shall be acted upon by the police in accordance with law.

Entry to a college by former students/alumni cannot be permitted as of right. Among other things, it might lead to a precarious situation if all or several of the former students/alumni of a college decide to enter its premises on a particular auspicious day. Their entry has to be regulated. Thus, the College Authorities shall be at liberty to formulate a policy as to when and how to allow earlier students/alumni to enter the college, subject to any existing law in this regard.

With these observations, the writ petition is disposed of.

Accordingly, CAN 1 of 2025 also stands disposed of.

As affidavits were not called for, the allegations made

in the writ petition are deemed not to have been admitted.

Urgent photostat certified copy of this order be supplied to the parties, if applied for, as early as possible.

(Jay Sengupta, J.)