

ADSL 1
17.04.2025
Kausik
ct.no.35

W.P.A. 8758 of 2025

**Raj Chowdhury
Versus
State of West Bengal & Ors.**

Mr. Billwadal Bhattacharyya, Sr. Adv.
Mr. Anish Kumar Mukherjee
Mr. Tamoghna Pramanick

...for the petitioner.

Mr. Kishore Datta, Ld. Adv. General
Mr. Swapan Banerjee
Mr. Sirsanya Bandopadhyay, Sr. St. Counsel
Mr. Debangshu Dinda

...for the state.

Petitioner has approached this court for organizing a rally on 19.04.2025 between 16.00 hours to 20.00 hours. The said procession would commence from 'Netaji Bhawan, 10, 38/2, Lalalajpath Rai Sarani, 4A, Elgin Road, Srepally, Bhowanipore, Kolkata, West Bengal 700020' and would culminate at 'Ashutosh Memorial Hall (House of Dr. Shyama Prasad Mukherjee) 77, Shyama Prasad Mukherjee Road, Paddapukur, Kolkata – 700025'.

Learned advocate appearing for the petitioner submits that 1000 individuals would be participating in the rally which at the culminating point would be addressed by some of the leaders of the organization. For that a stage of 12 feet (in

length) X 8 feet (in breadth) may be constructed for the leaders of the organization to address the accumulation of about 300 people. The police authorities would barricade the area if they are apprehensive that there may be traffic congestion.

Mr. Banerjee learned advocate appearing on behalf of the State has forwarded the following conditions which are set out as follows :-

“1. Number of participants should be in accordance with the Hon'ble Court's order;

2. Loudspeakers, if used, shall be within the permissible limits as prescribed by the Hon'ble High Court, Calcutta and West Bengal Pollution Control Board and also in consonance of any other conditions imposed by this Court. Upto 5 microphones would be allowed in the said rally;

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

4. 10 (ten) names of the volunteers should be furnished, in advance before commencing the programme, who will be responsible for violating any Order of Hon'ble Court;

5. The participants in the said programme 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;

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

7. No obstruction is to be created to free flow of traffic, free access to any thoroughfare or building, Ambulance, Fire Brigade or persons entitled thereto;

8. The participants at the programme should be dispersed immediately after the specified time fixed for conclusion of programme;

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

The accumulation of participants would start from 4.00 p.m. but the procession would commence from 5.00 p.m.

With the aforesaid observations WPA 8758 of 2025 is disposed of.

All parties shall act on the server copy of this order duly downloaded from the official website of this Court.

(Tirthankar Ghosh, J.)