

D/L 365
30.04.2025
Kausik
ct.no.35

W.P.A. 9320 of 2025

**Tushar Kanti Ghosh
Versus
State of West Bengal & Ors.**

Mr. Koustav Bagchi
Mr. Debayan Ghosh
Ms. Priti Kar

...for the petitioner.

Mr. Kishore Datta, Ld. A.G.
Mr. Sirsanya Bandopadhyay, Sr. St. Counsel
Mr. Vivekananda Bose, Jr. St. Counsel
Mr. Swapan Banerjee, Ld. AGP
Mr. Akash Dutta

...for the state.

Petitioner is the Secretary of 'Kalighat Bahumukhi Seva Samiti' who intends to organize a peaceful rally in protest against the terrorist attack at Kashmir. Petitioner earlier applied before the Joint Commissioner of Police, Kolkata. However the same was refused by an information on 23.04.2025. The proposed rally was to be held on 24.04.2025. Mr. Bagchi on the relevant date also mentioned the matter. However, on the request of the Court the same was postponed for a week. Petitioner intends to hold the same procession/rally on 02.05.2025 with 150 participants which would commence from Rashbehari Crossing (45A Rashbehari Avenue,

Kolkata 700026) and will conclude at Triangular Park (Gariahat Khadims, Bank of Baroda). The petitioners would conduct such rally on 02.05.2025 from 7.00 p.m. to 9 p.m.

Mr. Banerjee, learned additional government pleader appearing on behalf of the State has forwarded the terms and conditions which are as follows :-

1. The number of participants should not exceed the number as fixed by the Hon'ble Court;
2. Sound system shall be used within the permissible limits as prescribed by the Hon'ble High Court, Calcutta and West Bengal Pollution Control Board;
3. Speeches capable of inciting violence, provocative speeches and abusive language will not be permitted;
4. The organizers and the volunteers shall be responsible for any violation;
5. The participants shall not obstruct traffic/vehicular movement and shall not cause any road blockade. It is directed that the participants will cling towards the left side of the road so that the traffic movement at any point of time is not stalled.
6. The participants in the said procession 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;

7. The participants shall abide by the instruction of the on duty police officers & shall act in a manner to ensure that no inconvenience whatsoever shall be caused to the public at large;
8. The participants at the rally should be dispersed immediately after the specified time fixed for conclusion of the said procession;
9. All other existing rules in vogue should strictly be adhered to.

Mr. Bagchi, learned advocate appearing on behalf of the petitioner accepts the condition so imposed.

The petitioners would advance the name of 5(five) organiser's along with their phone numbers to the police authorities and in case of any crisis would dissuade the members and the participants.

With the aforesaid observations WPA 9320 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.)