

D/L 274
17.07.2025
ct.no.35
Kausik

W.P.A. 15626 of 2025

**Abul Kashem
Versus
The State of West Bengal & Ors.**

Mr. Pratip Kumar Chatterjee, Sr. Adv.
Ms. Maitrayee Chatterjee

...for the petitioner.

Mr. Suman Sengupta, Sr. Govt. Adv.
Mr. Sambuddha Dutta

...for the State.

Learned advocate appearing for the petitioner has submitted that the petitioner intends to conduct a 'Patha Sabha' on 21.07.2025 and to that effect sought for permission from the Officer-in-Charge, Kaliganj Police Station. According to the petitioner, there will be an assembly of 800 persons at Panchkhela Bus Stand and the 'Patha Sabha' would be held from 4.00 p.m. to 7.30 p.m.

The Officer-in-Charge of Kaliganj Police Station did not respond to the permission sought for which was sent on or about 09.07.2025.

Mr. Sengupta, learned advocate appearing on behalf of the State opposes the contentions and submits that in view of the pre-scheduled programme of a particular political party and a huge

gathering, the police authorities are apprehensive regarding the law and order crisis and deployment of police force, as such the petitioner may conduct the programme on any other day except the day proposed by the petitioner.

I have considered the submissions of both the parties and on assessment of the submissions, I find that there will be a gathering of only about 800 persons and the same would not be in conflict with the proposed programme referred to by the learned advocate appearing on behalf of the State as the programme so proposed is at Calcutta and is scheduled to be held at a different time.

So far as the proposal of the petitioner is concerned, the same is at the evening hours starting from 4.00 p.m. to 7.30 p.m. on 21.07.2025.

In view of the regular conditions imposed by this Court for 'Patha Sabha'/ Sit-in demonstration and processions the following conditions are being imposed :-

"1. Number of participants should not exceed 800 persons as submitted before this Court;

2. The sound system will be arranged by that Patha Sabha (8pcs. Chong, 2pcs Box, 1 microphone) and the area of stage should be 8' X 12' approx. Loudspeakers, if used, shall be 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. Name of the volunteers should be well furnished, 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.”

Learned advocate appearing for the petitioner has accepted the aforesaid conditions.

Accordingly petitioner is allowed to ensure that a peaceful 'Patha Sabha'/ Programme is conducted between 4.00 p.m. to 7.30 p.m. at the venue referred to above on 21.07.2025.

With the aforesaid observations WPA 15626 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.)