

Sl.No.

9 07.08.2025

Court
No. 35

G.S.Das

WPA 17016 of 2025

Towhid Ahmed Khan & Anr.
-Vs-
The State of West Bengal & Ors.

Mr. Firdous Samim
Ms. Gopa Biswas
Mr. Hasanuz Zaman Molla
Ms. Ankita Ghosh

... for the Petitioner(s)

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

... for the State – Respondent(s)

The petitioners made an application before the Joint Commissioner of Police (HQ) for organising a ‘Sit-in-Demonstration’ at ‘Y Chanel Dharmatala’.

In the said application, the petitioners proposed for participation of 150 participants for a definite period of time i.e., from 12th July, 2025 to 28th July, 2025.

Response, to that effect, was made from the office of the Joint Commissioner of Police (HQ) to the extent

of allowing the demonstration with 50 participants for a single day on 13.07.2025 from 12.00 noon to 5.00 pm.

The petitioners, thereafter, on 15th July, 2025 submitted another representation for conducting the same event, i.e., 'Sit-in-Demonstration' at the same location from 16th July, 2025 to 16th August, 2025. The same was, however, refused by the office of the Joint Commissioner of Police (HQ).

Mr. Sengupta, learned advocate for the State, opposes the prayers advanced in the writ petition, but, on instructions submits that after the scheduled programme of Independence Day is over, the police authorities have agreed for 16th August, 2025 to 17th August, 2025 with only 50 participants for the said 'Sit-in-Demonstration' for a specific period of time.

I have considered the submissions of both the parties and the prayer of the

petitioners in respect of the causes for which the 'Sit-in-Demonstration' has been proposed.

Having regard to the same, I am of the view that 16th August, 2025 and 17th August, 2025 from 8.00 am to 8.00 pm, the petitioners may carry out their 'Sit-in-Demonstration' with 75 participants in rotational manner to accommodate the 150 participants who intend to participate in the said Demonstration.

So far as 18th August, 2025 is concerned, the same being a working day, the schedule of the programme /demonstration be fixed from 11.00 am to 8.00 pm.

Mr. Sengupta, has forwarded the following conditions to be complied with by the participants, which are as follows:

- 1. Number of participants should be in accordance with the Hon'ble Court's order;*
- 2. Loudhailer, 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 demonstration should be dispersed immediately after the specified time

fixed for conclusion of demonstration;

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

Learned advocate for the
petitioners has accepted the conditions
forwarded on behalf of the State.

Additionally, it is directed that the
petitioners would forward a list of 10
organizers with their mobile numbers to
the police authorities who would be
monitoring the said demonstration prior to
16th August, 2025.

The petitioners would also ensure
that the place which has been used are
restored to its original position after the
demonstration is over.

With the aforesaid observations,
WPA 17016 of 2025 is disposed of.

Pending application(s), if any, is
also disposed of.

Parties to act on a server copy of this
order duly collected from the official website of the

Hon'ble High Court, Calcutta.

(Tirthankar Ghosh, J.)