

14.08.2025
Item No.32
Ct. No.35
dc.

W.P.A. 18798 of 2025

**Shankudeb Panda
versus
The State of West Bengal and others**

Mr. Billwadal Bhattacharyya, Sr. Adv.,
Mr. Moyukh Mukherjee,
Mr. Anish Kumar Mukherjee,
Ms. Sagnika Banerjee,
Ms. Sarmistha Basak,
Mr. Tamoghna Pramanick ... For the Petitioner.

Mr. Kalyan Kumar Bandopadhyay, Sr. Adv.,
Mr. Swapan Banerjee, Ld. AGP,
Mr. Rudradipta Nandy, Ld. APP,
Ms. Sumita Shaw,
Mr. Diptendu Narayan Banerjee,
Mr. Arka Kumar Nag,
Ms. Sanjana Saha,
Mr. Rahul Kumar Singh,
Mr. Soumen Chatterjee ... For the State-respondents.

Affidavit-of-service and supplementary
affidavit filed on behalf of the petitioner be kept
with the record.

Petitioner applied on 11.08.2025 for
organising Procession/Rally on 16th August, 2025
from 4 p.m. to 7 p.m. The proposal which was
advanced to the Joint Commissioner of Police (HQ),
Kolkata expresses that the participants would be
starting from College Square and culminating at
Dorina Crossing. The proposed route which was
submitted by the applicant is from College Square
to Dorina Crossing via Central Avenue with
expected participants of 3000 individuals.

State has responded to the same by an e-mail
dated 13th August, 2025 wherein it was informed
that 300 participants may be allowed to proceed

with the proposed Rally/Procession from College Square to Rani Rashmoni Avenue.

Having considered that the applicant proposed for 3000 participants and the office of the Joint Commissioner of Police (HQ), Kolkata responded for 300 participants, I am of the opinion that some more participants should be allowed for the proposed Rally/Procession.

Accordingly, this Court is of the opinion that 750 participants be allowed to assemble and proceed with the procession from College Square – Rafi Ahmed Kidwai Road – S.N. Banerjee Road and end at Rani Rashmoni Avenue (southern flank).

The said Rally/Procession would commence at 4.00 p.m. and preferably be over by 6.30 p.m. – 7.00 p.m. on 16th August, 2025.

Mr. Bandopadhyay, learned senior advocate appearing for the State-respondents, has forwarded the following conditions to be adhered to by the petitioner/participants :

(a) “At any point of time, the total number of participants shall not exceed the number of 750 individuals;

(b) The organizers shall nominate 10 persons from amongst themselves who shall be held responsible for conducting the procession;

(c) The organizers and volunteers would ensure that one third of the road is only occupied for the

purposes of the procession and two third of the road be kept open for plying of the vehicles;

(d) There cannot be an uniform stretch of the breadth of the road, accordingly the organizers would advise their participants to mould the breadth of the procession.

(e) The participants shall not carry or brandish any arms or weapons;

(f) The participants shall not use any foul language or incite violence, further provocative speech in any form is strictly prohibited;

(g) The participants shall not carry in the procession any stick, lathi, swords, knives, sticks or any kind of tool or weapon;

(h) The participants shall also abide by the relevant pollution norms including the sound norms. Only normal sound system should be used. No disc jockey shall be allowed in the said procession;

(i) The procession should slowly progress to their destination and would ensure that no hindrance is caused to the commuters and/or traffic congestion be created;

(j) The participants in the procession shall not halt or pause at any place and would continue to gradually proceed towards their final destination;

(k) The petitioner and participants shall abide by all the conditions for holding such peaceful procession/rally and shall not cause any undue obstruction to public at large;

(l) The police authorities shall make necessary arrangements for security with good number of personnel so as to ensure that no breach of peace takes place.”

Mr. Bhattacharyya, learned senior advocate appearing for the petitioner accepts the conditions so forwarded by the learned senior advocate appearing for the State.

With the aforesaid observations, the writ petition being WPA 18798 of 2025 is disposed of.

There will be no order as to costs.

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

Urgent photostat certified copy of this order, if applied for, be supplied to the parties upon compliance with all requisite formalities.

(Tirthankar Ghosh, J.)