

3RD Sept.,2025
Item no.D/L 08
Court No. 14
Pradip, A.R.(Ct.)

In the High Court at Calcutta
Constitutional Writ Jurisdiction
Appellate Side

Case No. **WPA 19528 of 2025**

In the matter of :
Kalyan Samity & Anr. *Petitioners*
VS.
The State of West Bengal & Ors.*Respondents*

For the Petitioners:
Mr. Arkaprava Sen
Mr. Chiranjit Pal*Advocates*

For the State:
Mr. Sudipta Panda
Ms. Parna Roy Choudhury*Advocates*

For the Municipality:
Mr. Debasis Kundu, Sr. Adv.
Mr. Jayanta Narayan Mohanty
Mr. Rajendra Nath Barik
Ms. Prisanka Ganguly*Advocates*

1. The issue relates to grant of puja permission in favour of the petitioner club which is reported to have conducted the puja at the same place for the last seventy one years.
2. The puja is being conducted in an open park by raising temporary pandal.
3. A writ petition (PIL) was filed challenging the construction of a community hall in the park. The PIL is pending consideration.
4. As the Durga Puja & Kali Puja for the year 2025 is approaching, the petitioners require permission from the

municipality and other authorities for performing the puja at the said place.

5. Learned advocate for the State submits, upon instruction that, the police does not have any objection if the puja is held in the park. The petitioners presently require the permission from the Maheshtala Municipality.
6. Learned advocate for the Municipality contends that as the Public Interest Litigation is pending and is scheduled to be taken up for consideration by the Court on 8th September, 2025, accordingly, hearing of this matter may be adjourned for the time being.
7. Learned advocate for the municipality further submits that as the club has land recorded in its name where they are already conducting puja, accordingly, there is no requirement for granting permission for holding puja at the park.
8. Learned advocate for the petitioners submits that, the park is just adjacent to the place which is recorded in the name of the petitioner club. It has been submitted that as the time for the puja is fast approaching, accordingly, permission may be granted for raising the pandal.
9. As it appears that the petitioners are conducting the puja for quite some time past, accordingly, the Court is of the opinion that the petitioners may be permitted to conduct Durga Puja & Kali Puja in the same place in the manner as it was held earlier.
10. The construction of the pandal or performing the puja is not going to create any right, title and/or interest of the

petitioners over the subject plot of land. The pandal shall be removed immediately after the puja is over. The puja shall be performed upon compliance of all legal formalities.

11. The civil rights of the parties shall be adjudicated by the competent civil forum.
12. The order passed today is, however, subject to any order that may be passed by the Hon'ble Division Bench on 8th September, 2025 in the pending PIL.
13. The writ petition stand disposed of.
14. Urgent photostat certified copy of this order, if applied for, be supplied to the parties upon compliance of all requisite formalities.

(Amrita Sinha, J.)