

26.08.2025
Court No. 35

ADSL. 01.
Rakib

W.P.A. 19929 of 2025

**Jayanta Swar
VS
The State of West Bengal & Ors.**

Mr. Raghunath Chakraborty
Ms. Sabank Sultana
...for the Petitioner.

Mr. Suman Sengupta, S.G.A.
Ms. Amrita Panja Moulick
...for the State.

Mr. Achintya Kr. Banerjee
Mr. Soumjit Duha
Ms. Indumouli Banerjee
...for Habra Municipality.

Affidavit-of-service filed by the petitioner be kept
with the record.

Petitioner has approached this Court being
aggrieved by the representation which has been made to
the Inspector-in-Charge, Habra Police Station on
20.08.2025 being not considered. The petitioner's anxiety
is that the road is being blocked by the private
respondent no.7 and its members for conducting Ganesh
Puja. Petitioner complains of no permission being
obtained from either the police authorities or the
Municipal Authorities who are the stakeholders for
granting permission.

State has submitted a report. Report in the last
paragraph reads as follows:

*“However during physical verification on 23.08.2025 it was clearly noticed that the committee set up their pandals of Ganesh Puja, 2025 leaving 8 feet width for public passage and emergency services (**Annexure - C - Photocopy captured on 26.08.2025**). However the Puja Committee i.e. the Respondent No. - 7 had been directed to keep public thoroughfare i.e. Habra P.L. Medical Goli remain open and clear for the free movement of residents, the general public and emergency vehicles at all times apart from the celebration of Ganesh Chaturthi Festival by their organization and in this regard direction in written had been issued to the Committee Members i.e. Respondent no. - 8, 9 and 10 (hereinafter mentioned as in the WPA) (**Annexure - D, E & F - Received copy of Notice**). Besides they have also been directed to keep necessary arrangement for sufficient fire fighting management and also necessary arrangement of any emergency services during their celebration of Ganesh Chaturthi Festival, 2025.”*

Having considered that the Ganesh Chaturthi Festival is fixed on 27th of August, 2025, it would be unwise for this Court to stall and/or interfere at the dead hours. However, since the report of the police authorities reflect that the respondent no.7 has been directed to keep public thoroughfare open and clear for free movement of the residents, the general public and emergency vehicles at all times.

For the purposes of celebration of the said festival a written undertaking be taken from the organizers.

Police authorities would ensure that no emergency services are blocked and henceforth allow the concerned Puja Committees for such festival to be conducted and temporary structures to be installed after all the permissions from the statutory authorities are made available one week ahead of the date so fixed for the festival.

With the aforesaid observations WPA 19929 of 2025 is disposed of.

Report so submitted by the State be kept with the record.

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.)