

Ct No.8
AD- 13
16.10.2025
(SSS)

WPA (P) 456 of 2025

Pradip Kuity and Ors.
Vs.
The State of West Bengal and Ors.

Mr. Dinesh Pani
.....For the petitioners.

Mr. Amit Ranjan Pati,
Ms. Swastika Chowdhury,
Ms. K. Kubra,
Mr. Anish Goswami
....For the respondent no. 8.

Mr. Amitabrata Ray, Ld. Govt. Pleader,
Mr. Jayanta Samanta, Ld. Jr. Govt. Adv.,
Mr. Sougata Mitra
....For the State.

Affidavit-of-service filed on behalf of the
petitioners be kept with the record.

The petitioners are sports lovers and permanent
residents of Nandakumar at District- Purba
Medinipur.

The petitioners are alleging that the
Nandakumar Aleya, a society registered under the
West Bengal Societies Registration Act, 1961, in
violation of the order dated February 13, 2025 passed
in the earlier in WPA (P) 517 of 2024, is exploiting the
playground of the Basudevpur Nandakumar Maharaj
High School for the purposes not related with the

interest of the students of the said school and even for commercial purposes.

The petitioners are *inter alia* praying for implementation of the said order.

The Secretary of the said society has been arrayed as respondent no. 8 herein. Learned advocate for the said respondent submits that since last 50 years, the society is organizing Kali Puja and other social functions on the occasion of such festivals at the said playground after obtaining permission from the school authority as well as from the other concerned authorities.

Responding to the said submission, the learned Advocate for the petitioner submits that every year the society organizes whole night functions and other activities and is proposing to hold one this year as well, to facilitate such functions, the society has covered the entire playground with a big pandal.

Having heard the learned counsel for the parties and on perusal of the materials-on-record, it appears that the society is exploiting the school playground for the purposes other than what it is meant for.

It is shocking to note that the school authorities are giving permission to the third parties to use the school playground for non-educational purposes.

In the earlier Public Interest Litigation, though directions were passed to carry on activities subject to prior permission of the concerned authorities but such permission cannot be granted to use the school playground for commercial activities or for non-educational purposes.

The learned counsel for the respondent no. 8 submits that this year, different social activities on account of the Kali Puja festival have already been organized.

Considering the said submission, the society is permitted to organize the Kali Puja and social activities in the said playground **till 10 P.M.** in a limited manner, but not beyond the said time subject to the condition that the society shall remove all pandal/structures from the said playground by **October 23, 2025** and shall restore the said playground to its original condition.

The school authorities henceforth shall not grant permission to anyone to organize any function and/or activities unrelated to education in the said playground, however the school authority may grant permission to the society to hold yearly Kali Puja in the said playground only.

The District Magistrate and the Superintendent of Police of the District- Purba Medinipur are

requested to ensure strict compliance of the directions made hereinabove.

WPA (P) 456 of 2025 is disposed of with the above terms without any order as to costs.

Urgent photostat certified copies of this order be supplied to the parties upon compliance with all requisite formalities.

(Ajay Kumar Gupta, J.)

(Biswajit Basu, J.)