

04.11.2025
ADSL No.2
Ct. No.1
Saikat
Mukherjee

MAT/1906/2025
with
IA NO: CAN/1/2025

STATE OF WEST BENGAL AND ORS.
VS
CHANDI CHARAN ROY AND ORS

Mr. Kalyan Bandopadhyay, Sr. Adv.
Mr. Sirsanya Bandopadhyay, Sr. Standing Counsel
Mr. Arka Kr. Nag, Adv.
Mr. Akash Dutta, Adv.

...For the Petitioner

Mr. Billwadal Bhattacharyya, Sr. Adv.
Mr. Anish Kr. Mukherjee, Adv.
Mr. Suryaneel Das, Adv.
Ms. Megha Datta, Adv.
Mr. Tamoghna Pramanick, Adv.

...For the Respondent/
Writ Petitioner

Mr. Dhiraj Trivedi, Sr. Adv. (DSGI)
Mr. Arijit Majumdar, Adv.

...For Union of India

Per, Sujoy Paul, A.C.J.:-

1. Shri Kalyan Bandopadhyay, learned senior counsel for the appellants.
2. Shri Billwadal Bhattacharyya, learned senior counsel for the respondent/writ petitioner.
3. Shri Dhiraj Trivedi, learned DSGI for the Union of India.
4. Heard on admission/stay.
5. Shri Bandopadhyay submits that the learned Single Judge by impugned order dated 3rd November, 2025, in WPA 24920 of 2025 erred in granting permission to the writ petitioner to hold a rally today, on

4th November, 2025, from 3:00 p.m. to 5:00 p.m. The principal argument is that the said rally is going to take place in support of Special Intensive Revision (hereinafter referred to as 'SIR') in an area where a person has committed suicide allegedly aggrieved by SIR and thus, the said rally may create a law and order problem for the administration.

6. Shri Bhattacharyya by providing certain documents submits that the ruling party of the State under its main leadership is also holding a rally today against SIR from Red Road to Jorasanko wherein approximately 10 to 15 thousand persons may participate. Therefore, if the said rally is permissible, no fault can be found in the order of the learned Single Judge for permitting another rally by another political party. It is democratic right of a political party to take its stand for or against an event/policy.
7. We have heard the parties on this aspect.
8. Shri Bandopadhyay, learned senior counsel for the appellant has not opposed the contention that the ruling party is also holding a rally today against the SIR.
9. Considering the aforesaid, we find no reason to stay or disturb the impugned order passed by learned Single Judge. More so, when at present it is 3:00 p.m., the starting time for rally permitted to be held.
10. For these cumulative reasons, interference is declined.

11. The intra-court appeal is dismissed.
12. Interlocutory application (if any pending) shall also stand disposed of.
13. However, it is made clear that the legal questions raised shall remain open to be decided in an appropriate court.

(SUJOY PAUL, A.C.J.)

(PARTHA SARATHI SEN, J.)