

Form No. J.(2)
Item No. SDL/1
ARPAN - AR (CT)

IN THE HIGH COURT AT CALCUTTA
Constitutional Writ Jurisdiction
(Appellate Side)

W.P.A. NO.26336 OF 2025

NABENDU SUNDAR NASKAR

Vs.

THE STATE OF WEST BENGAL & OTHERS

BEFORE: THE HON'BLE JUSTICE SAUGATA BHATTACHARYYA

For the Petitioner : Mr. Billwadal Bhattacharyya, Sr. Adv.
Mr. Anish Kumar Mukherjee, Adv.
Ms. Megha Datta, Adv.
Mr. Tamoghna Pramanick, Adv.

For the State : Mr. Samrat Sen, Asst. Addl. AG
Mr. Amrita Lal Chatterjee, Adv.

Hearing concluded on : 21.11.2025

Judgment On : 21.11.2025

SAUGATA BHATTACHARYYA, J.:

1. Affidavit-of-service filed on behalf of the petitioner is taken on record.
2. A person belonging to a particular political party has come forward with the present writ petition praying for a direction upon the jurisdictional police authorities to permit the said political party to organize a rally

and hold a meeting at the end of such rally on 24th November, 2025 in between 1:00 pm and 6:00 pm. In this regard, a representation has been made to the Superintendent of Police, Sundarban Police District on 15th November, 2025 intimating that a rally is to be organized on 24th November, 2025 which will proceed through Mandir Bazar Bus Stand *via* Mandir Bazar Choto Mandir to Jagadishpur Gosta Tala Math (Mela Ground) and said Mela ground would be the culmination point where meeting is to be organized.

3. Prayer is made in this writ petition for giving necessary directions upon the jurisdictional police authorities which would facilitate the party volunteers to organize the programme as delineated in the representation dated 15th November, 2025.
4. It is submitted by Mr. Billwadal Bhattacharyya, learned Senior Advocate representing the petitioner that in spite of submitting such representation on 15th November, 2025, till date no formal permission is accorded by the concerned police authorities and the concerned Sub-Divisional Officer whereas programme is scheduled on 24th November, 2025, prompting the petitioner to approach this Court seeking necessary direction.
5. In support of the case made out in this writ petition, reliance is placed on orders dated 3rd November, 2025 passed by a Co-ordinate Bench on the writ petition being **WPA 24921 of 2025 (Abhijit Tah vs. The State of West Bengal & Ors.)** and dated 29th October, 2025 passed by

another Co-ordinate Bench on a writ petition being **WPA 24500 of 2025 (Nabendu Sundar Naskar vs. The State of West Bengal & Ors.)**.

6. It is further submitted on behalf of the petitioner that against the order passed in **Abhijit Tah** (*supra*), *intra-Court* appeals were preferred and the Hon'ble Division Bench by order dated 4th November, 2025 changed the date of rally and to that extent only order of the Learned Single Bench was modified.
7. Mr. Samrat Sen, learned Assistant Additional Advocate General representing the State respondents has made submissions based on written instructions dated 21st November, 2025 and has opposed the prayer of the petitioner. A communication dated 21st November, 2025 of the Inspector-in-Charge, Mandir Bazar Police Station, Sundarban Police District is placed before this Court and same is taken on record.
8. It is contended that the said rally which is proposed to be organized on 24th November, 2025, will proceed through Jagadishpur village and will move further to reach at the culmination point, which is Jagadishpur Gosta Tala Math (Mela Ground). According to the police authorities, said Jagadishpur village is a congested area and Mandir Bazaar Choto Mandir situates on the middle of the road. Therefore, there will be difficulty in organizing the said rally peacefully.
9. It is also submitted on behalf of the State respondents that considering the number of participants in the proposed rally and as Mandir is

situated on the middle of the road for which area remains crowded, situation may arise which will be beyond the control of the police authorities.

10. While considering the submissions made on behalf of the parties, this Court has come across an order dated 20th January, 2025 passed by a Co-ordinate Bench on a writ petition being **WPA 1390 of 2025 (All India Secular Front (ISF) and Anr. vs. State of West Bengal & Ors.)**. Paragraph 17 of the order dated 20th January, 2025 contains certain restrictions which need consideration as the petitioner, in the present case, prays for direction for organizing a rally and meeting and the rally will be organized on public road.
11. Taking note of the objections raised on behalf of the respondent authorities *vis-à-vis* right of the members of a particular political party to conduct their programme, this Court finds it fit that the rally should be organized on 24th November, 2025 in such a manner that the number of participants in the said rally should not be more than seven thousand. As it is submitted that the culmination point of the rally will be at Jagadishpur Gosta Tala Math (Mela Ground) and same is owned by private individuals, concerned administration as well as police authorities will permit the meeting at the said culmination point with a note of caution that meeting is required to be convened in such a manner that will not disturb peace and tranquillity of the area in question.

12. The rally and the meeting shall be organized subject to the following conditions:

- i. Participants in the said programme will hold a peaceful rally/meeting and the participants in the rally shall be limited to seven thousand;
- ii. Programme shall be organized in such a manner that it shall not cause any undue obstruction to public at large;
- iii. Concerned police authority shall make necessary arrangements for security with adequate number of personnel so as to ensure that no breach of peace takes place;
- iv. Police arrangements shall be made under the supervision of the Inspector-in-Charge, Mandir Bazar Police Station, Sundarban Police District being respondent no.4 or any other superior officer as the State deems fit and proper.
- v. Rally/meeting shall be held subject to compliance of rules in relation to noise pollution and without causing any inconvenience to the public at large.
- vi. District administration including the jurisdictional police authorities are also directed to ensure safety and security of the dignitaries and participants in the said

rally/meeting, which will be organized on 24th November, 2025.

13. It is further clarified that only rally shall be confined to seven thousand participants and not more than that.
14. With the above directions, writ petition stands disposed of.
15. Urgent photostat certified copy of the order, if applied for, be given to the parties, upon usual undertakings.

(SAUGATA BHATTACHARYYA, J.)