

Ct.No.7 V/B 31.12.2025
Saikat D/L
Mukherjee 33

WPA/29983/2025

**RATAN DAS
VS.
STATE OF WEST BENGAL AND ORS.**

Mr. Billwadal Bhattacharyya, Sr. Adv.
Ms. Megha Datta, Adv.
Mr. Tamoghna Pramanick, Adv.

...For the Petitioner

Mr. Swapan Kumar Dutta, G.P.
Mr. Vivekananda Bose, Jr. St. Counsel
Ms. Deboleena Ghosh, Adv.

...For the State

1. Parties are represented through their respective learned advocates.
2. Heard learned advocates for the parties.
3. Mr. Bhattacharyya, learned Senior Counsel appearing for the petitioner submits that the petitioner made an application for grant of permission to use the microphones, loudspeakers, etc. on 2nd January, 2026, to organise a public meeting. A particular application mentioning the expected crowd, which is 15,000, 4 microphones, 100 loudspeakers and the height and size of the stage of the meeting was submitted before the Sub-Divisional Officer, Chanchal, Malda ('SDO' in short). In turn, SDO by order dated 26th December, 2025, rejected the said application on the ground of the report submitted by the Sub-Divisional Police Officer, Chanchal, Malda ('SDPO' in short).

4. It is further submitted that the SDPO cannot recommend with regard to the grant of permission and it is for the SDO to take decision in this regard.
5. Mr. Bose, learned Jr. Standing Counsel for the State of West Bengal submits that the order passed by the SDO is justified and considering the number of persons, it is very difficult for the administration to control a huge crowd of 15,000. He further submits that the number of loudspeakers of 100 is also excessive.
6. Considering the submission of the learned advocates for the parties and considering the facts of the case, this court is of the view that the SDO while exercising his jurisdiction to grant permission, could have regulated the persons, microphones, loudspeakers, etc. and could have issued certain instructions without totally rejecting the application of the petitioner.
7. Thus, the order passed by the SDO cannot be sustained and the same is set aside.
8. As the proposed meeting was scheduled to be held on 2nd January, 2026, there is no scope to refer the matter to the SDO for reconsideration of the matter. Thus, upon hearing, this court is of the view that in the interest of justice and considering the constitutional right, the petitioner should be permitted to organise the public meeting scheduled to be held on 2nd January, 2026, at the place mentioned in the application as marked annexure at page-63. However, the crowd shall not exceed more than 9,000, loudspeakers shall not

exceed more than 70. The police authority shall see that there is no breach of peace in the meeting and the petitioner should stick to the schedule time and there should be no variation.

9. With the aforesaid observation and direction, the writ petition is disposed of.
10. Urgent Photostat certified copy of this order, if applied for, be given to the parties, on priority basis, upon compliance of all necessary formalities.

(BISWAROOP CHOWDHURY, J.)