

OD-6

ORDER SHEET

IA NO. GA/1/2025
WPO No.752 of 2024
IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION
ORIGINAL SIDE

SUVENDU ADHIKARI & ANR.

Vs

THE HONBLE SPEAKER, WEST BENGAL
LEGISLATIVE ASSEMBLY & ORS.

BEFORE:

The Hon'ble JUSTICE AMRITA SINHA

Date: 28th August, 2025.

Appearance:

Mr. Joydeep Kar, Sr. Adv.

Mr. Billwadal Bhattacharyya, Sr. Adv.

Mr. Pijush Biswas, Adv.

Mr. Anish Kumar Mukherjee, Adv.

Mr. Suryaneel Das, Adv.

Mr. Megha Datta, Adv.

Mr. Aditya Mondal, Adv.

Mr. Tamoghna Pramanick, Adv.

...for the Petitioners.

Mr. Kishore Datta, Ld. Advocate General.

Mr. Sirsanya Bandhopadhyay,

Sr. Standing Counsel.

...for the State.

1. The instant writ petition has been filed by the petitioner no.1 who is a member of the West Bengal Legislative Assembly and the Leader of the Opposition and the petitioner no. 2 who is also the member of the Legislative Assembly, West Bengal and the chief whip of the Bharatiya Janata Legislative Party.
2. The petitioners have, *inter alia*, prayed for a direction for quashing the notification dated 6th May, 2021 restricting the entry of Central Security Forces into the Assembly House precincts along with their protectees.

3. Learned senior counsel representing the petitioners made elaborate submission and concluded argument.
4. Learned Advocate General commenced argument but on the direction of the Court, the learned Advocate General has obtained instruction from the Speaker of the West Bengal Legislative Assembly with regard to the applicability of the impugned notification.
5. The query of the Court has been replied to by the Speaker through the Secretary of the West Bengal Legislative Assembly by a letter dated 22nd July, 2025 communicated to the learned Advocate General. The same has been retained with the records and a copy handed over to the learned counsel for the petitioners.
6. The Secretary of the West Bengal Legislative Assembly has mentioned that the entry of the personal security of all members of the House including Ministers inside the Assembly House precincts is prohibited and it has been published in the Bulletin, Part II from time to time for information of the members. The aforesaid Bulletins are applicable equally in respect of all members of the Legislative Assembly.
7. As the Secretary of the West Bengal Legislative Assembly has intimated the learned Advocate General that the security arrangement is maintained equally for all members of the Legislative Assembly irrespective of their political affiliation, accordingly, the Court is not inclined to proceed with the writ petition any further.

8. Though the issue of maintainability of the writ petition was sought to be urged by the learned Advocate General, but the Court has not decided the issue.
9. The instant writ petition stands disposed of with the observation that all members of the Legislative Assembly shall be treated equally.
10. The connected application being IA No.GA/1/2025 also stands disposed of.
11. Urgent photostat certified copy of this order, if applied for, be supplied to the parties upon compliance of all legal formalities.

(AMRITA SINHA, J.)

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