

01 **12.03.2026**
(SL) Court No. 05
 (Suvendu Mukherjee)

IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION
(APPELLATE SIDE)

WPA 6083 of 2026

Ajoy Chakraborty & Ors.
-Versus -

The State of West Bengal & Ors.

Mr. Uday Narayan Betal
Mr. Bhaskar Hutait

...for the petitioners

Mr. Kalyan Bandyopathyay
Mr. Arka Kumar Nag
Mr. Manish Biswas

.....for the State respondents

- 1) Affidavit of service filed on behalf of the petitioners is taken record.
- 2) Document filed on behalf of the petitioners relating to payment of deficit Court Fees is also taken on record.
- 3) Petitioners propose to hold a fair from 17th March, 2026 to 24th March, 2026 on a plot of land under Dag No. 01, J.L. No. 80, in Village and Mouza – Goura, Police Station - Daspur, District – Paschim Medinipur.
- 4) It is submitted that this fair is being organized at the same locale for several decades and petitioners for holding the fair within aforesaid period deposited requisite fees with Daspur –II Panchayat Samity, West Bengal State Electricity Distribution Company Limited

and office of the Director General of West Bengal Fire and Emergency Service. However, it is submitted that concerned police authority is not granting permission as a result whereof petitioners will not be able to organize the fair which is scheduled to commence from 17th March, 2026. It is submitted that petitioners made an application to the Officer-in-Charge of Daspur Police Station, Paschim Medinipur seeking necessary permission which would permit them to hold fair.

5) Mr. Bandyopadhyay, learned Senior Advocate representing the State respondents has submitted that police authority has not received the representation of the petitioners which is at pages 119 to 120 of the writ petition. In addition thereto, it is submitted that a writ petition being WPA 4955 of 2026 is pending wherein right of the petitioners over the plot of land where fair is to be organized, is questioned. However, it is submitted on behalf of the State respondents that on the writ petition being WPA 4955 of 2026 no interim order is passed restraining the petitioners herein from utilizing the land for holding fair.

6) Having considered the respective submissions made on behalf of the parties and taking note of the fact that fair is being organized by the petitioners for several years and necessary fees have already been deposited with the concerned authorities, Officer-in-Charge of Daspur Police Station being respondent no. 8 is directed to grant permission to the petitioners to hold fair which will commence on and from 17th March, 2026 and to be ended on 24th March, 2026 in the event

an application is made by the petitioners tomorrow (13th March, 2026) by 12 noon before the respondent no. 8 seeking permission for holding fair.

7) However, it is made clear if fair is held on the plot of land in question petitioners and private respondents shall maintain peace and tranquility and ensure that no untoward incident shall take place. Police authority is also directed to provide necessary assistance.

8) However, this order shall not be construed as an order deciding the right of the petitioners over the plot of land in question.

9) Writ petition stands disposed of.

10) Petitioners are granted leave to communicate this order to the respondent no. 8 without waiting for server copy of this order.

11) Urgent photostat certified copy of this order, if applied for, be given to the parties on usual undertaking.

(Saugata Bhattacharyya, J.)