

13.05.2026
Sl. No. 4
Ct No. 36
SG

WPA 10965 of 2026

**Nivanjoli Apartment Phalahari
Kalipuja Committee & Anr.**

Vs

The State of West Bengal & Ors.

Mr. Zinal Haque,
Mr. Manish Kumar Das.

...for the petitioners

1. Affidavit-of-service filed in Court today be kept with the record.
2. In spite of service, none appears on behalf of the respondents.
3. The petitioner has preferred the present writ petition seeking a direction upon the respondent to consider and dispose of the petitioner's application dated 13.04.2026 seeking permission to conduct *Phalahari Kalipuja* at premises no. 58/11A, Barick para Road, Behala, Kolkata-700034 during the period 14.05.2026 to 18.05.2026.
4. Learned counsel appearing for the petitioner submits that the petitioner had conducted a similar puja in the year 2025 and had applied for permission before the Officer-in-Charge, Behala Police Station and was verbally permitted to hold the said puja. Pursuant thereto the petitioner conducted the puja peacefully and strictly in compliance with the applicable guidelines. It is

submitted that for the current year the petitioner has submitted an application dated 13.04.2026 before the competent authority seeking permission to conduct the said puja during the period from 14.05.2026 to 18.05.2026. However, despite the lapse of considerable time no decision has been communicated to the petitioner with regard to his application.

5. Having heard the learned counsel for the petitioner and upon perusal of the materials placed on record, this Court is of the considered view that the petitioner's grievance deserves consideration. The right to practice and profess one's religion including performance of religious ceremonies and rituals in a peaceful and orderly manner is a fundamental right guaranteed under Article 25 of the Constitution of India. The non disposal of the petitioner's application by the concerned respondent authority is an infringement of petitioner's personal right. It is further noted that the petitioner had conducted the said puja previously in the year 2025 and has also been conducting the said puja in previous years.

6. In the fact the circumstances of the present case, the Officer-in-Charge, Behala Police Station is hereby directed to consider and dispose of the petitioner's representation dated 13.04.2026 forthwith and in any event not later than 14.05.2026 after due verification of the antecedents of the petitioner and the nature of the proposed programme and the relevant local conditions.

7. It is made clear that in the event the permission is granted, the same shall be subject to such conditions as the competent authority may deem fit and proper in the interest of maintenance of public safety and order.

8. With the aforesaid directions, the present writ petition is disposed of.

9. There shall, however, be no order as to costs.

10. Urgent photostat certified copy of this order, if applied for, be supplied to the parties on usual undertaking.

(Gaurang Kanth, J.)