S/L 2 & 13
06.10.2026
Court. No. 25
suvayan

WPA 27755 of 2026

Bharatiya Rail P. Shramik Union (E. Rly.) & Anr.
Vs.
The Union of India & Ors.

With

WPA 28862 of 2026

Sealdah Railway Athletic Club & Ors.
Vs.
Union of India

Mr. Sarajit Sen
Mr. Aniruddha Lahiri
Ms. Sreelekha Mandal
Mr. Balai Sapui

...for the petitioners
in WPA 27755 of 2026.

Mr. Firdous Samim
Ms. Gopa Biswas
Mr. Aritra Bhattacharya
Mr. Naman Shah
Mr. Rajosik Dutta
Ms. Salini Bhattacharjee
Mr. Imzamamul Islam
Mr. Ayush Majumder

...for the petitioners
in WPA 28862 of 2026.

Mr. Dwijadas Chakraborty

...for U.O.I.
in WPA 27755 of 2026.

Mr. Pulakesh Bajpayee
Mr. Sailendra Kr. Mishra

...for U.O.I.
in WPA 28862 of 2026.

Mr. Subhajit Das

....for the State
in WPA 27755 of 2026.

Mr. Sunny Nandy

...for the State
in WPA 28862 of 2026.

1. The affidavit-of-service and the supplementary affidavit filed by the petitioners in WPA 27755 of 2026 be kept with the record.
2. The petitioners in WPA 27755 of 2026 filed the present writ application and prayed for a direction upon the authorities to grant permission to perform Durga Puja at the railway ground from October 16, 2026 to October 21, 2026.
3. Learned counsel for the petitioners submits that on May 13, 2026 the petitioners have made an application for grant of permission of Durga Puja and accordingly the authorities have granted permission on August 31, 2026 to organize the Khuti Puja on September 1, 2026. He further submits that the petitioners have also deposited an amount of Rs. 67,761/- and Rs. 55,391/-. Learned counsel for the petitioners submits that in spite of allowing the petitioners to perform the Khuti Puja and in spite of receipt of the amount from the petitioners, the respondent authorities are not granting permission to perform Durga Puja from October 16, 2026 to October 21, 2026.
4. The petitioners in WPA 28862 of 2026 submit that the Sealdah Railway Athletic Club are performing Durga Puja in the premises of the railway authorities since the year 2012 and every year the railway authorities are granted permission to the Club. This year also the petitioners have applied for grant of permission to the Sahaj Portal and the same is pending before the authorities.

5. Learned counsel appearing for the railway authorities has submitted the report wherein it reveals that as per the application filed by the petitioners in WPA 27755 of 2026, the authorities are allowed to perform Khuti Puja on September 1, 2026. On September 1, 2026 a dispute was arose with regard to performing the Puja and the Khuti Puja was stopped/postponed and subsequently, the railway authorities have withdrawn the permission granted to the petitioners for performing Khuti Puja and the same was duly informed to the petitioners by a communication dated September 24, 2026 and requested the petitioners to apply for refund of the deposited amount.

6. Heard the learned counsel for the respective parties. Perused the materials on record.

7. This Court finds that the petitioners in WPA 27755 of 2026 Bharatiya Rail P. Shramik Union (E. Rly.) had applied for permission to perform Durga Puja and accordingly on August 31, 2026 the authorities have granted to perform Khuti Puja on September 1, 2026. The petitioners have also deposited the requisite amount. But on the date of Khuti Puja a dispute was arose and the Khuti Puja was postponed and the authorities have cancelled the permission granted to the petitioners and directed the petitioners to apply for refund of the amount deposited by the petitioners.

8. The petitioners in WPA 28862 of 2026 are the Athletic Club and from the record it is finds that the railway authorities have granted permission to the said Club

since the year 2012. In the year 2025 also the authorities have granted permission to the said Club to perform Durga Puja from September 28, 2025 to October 2, 2025. This year also the Sealdah Railway Athletic Club has applied for permission through Sahaj Portal to perform Durga Puja from October 16, 2026 to October 21, 2026 and the application filed by the petitioners is pending before the authorities for grant of permission.

9. Considering the rival submission of the parties, this Court finds that the permission granted to the petitioners in WPA 27755 of 2026 i.e., the Bharatiya Rail P. Shramik Union (E. Rly.) is cancelled and the petitioners are directed to apply for the refund of the deposited amount.

10. Accordingly, the respondent authorities particularly the respondent no. 2 is directed to refund the amount of the petitioners within a week from date and the respondent no. 2 is directed to consider the application filed by the petitioners in WPA 28862 of 2026 i.e., Sealdah Railway Athletic Club and to pass necessary order on or before October 8, 2026.

11. It is further made clear that if the authorities will allow the petitioners in WPA 28862 of 2026 to conduct the Durga Puja, the petitioners are directed to maintain the law and order and the local police authorities are also directed to see the law and order should be maintained during the Puja festival.

12. WPA 27755 of 2026 and WPA 28862 of 2026 are disposed of.

13. Urgent photostat certified copies of this order, if applied for, be supplied to the parties upon compliance with all the necessary formalities.

(Krishna Rao, J.)