14.10.2026
Court No.25
D/L No.22
S. Gayen

In the High Court at Calcutta
Constitutional Writ Jurisdiction
Appellate Side

WPA 29541 of 2026
with
CAN 1 of 2026

Ayespur Mukti Sangha & Anr.
Versus
The State of West Bengal & Ors.

Mr. Sabyasachi Chatterjee
Mr. Rishab Ahmed Khan
Mr. Chandan Kr. Singh
Mr. Shahzada Parvez
...for the Petitioners

Mr. Rajmohan Chatterjee
Mr. Bikramjit Mandal
...for the State

Mr. Shibaji Kr. Das
Mr. Dipendu Sarkar
...for the Applicant in CAN 1 of 2026

Mr. Sayan Banerjee
Ms. Suparna Dutta
Ms. Tusi Naskar
...for the Private Respondent

1. CAN 1 of 2026 filed by the interveners is considered and allowed and they have been added as party respondents.

2. The petitioners have filed the present writ application for a direction upon the respondent authorities to grant permission to perform Durga Puja in dag No. 601, khatian Nos. 98, 135, 387 and 778.

3. Learned counsel appearing for the petitioners submits that some of the persons are raising objection with regard to performing puja by the petitioners in the aforesaid plot. The petitioners have made representation to the State Authorities to settle the

dispute and the same has not been settled and accordingly, the petitioners have filed the present writ application.

4. One, Manoj Kumar Ghosh and Uttam Ghosh have filed an application being CAN 1 of 2026 with the prayer to be added them as a party respondents on the ground that the dag No. 601, khatian No. 63, 98, 35 and 387 belongs to Aueshpur Sarbojanin Shiv Mandir and the land is recorded in the name of Manoj Kumar Ghosh, Uttam Ghosh, Rajesh Chowdhury, Satyanarayan Ghosh and Subrata Ghosh in term of the conveyance deed.

5. Learned counsel appearing for the added respondent in the present writ application submits that dag No. 601 being khatian No. 778 is recorded in the name of Khokan Chandra Lodh and he has no objection for performing puja by the petitioners in dag No. 601, khatian 778.

6. Learned counsel appearing for the State submits that the petitioners as well as the intervenor are intending to perform Durga Puja in the private property. As such the State has nothing to do unless and until both the parties come to a final conclusion that which party will perform puja in the property in question.

7. He submits that both parties have applied for permission and the authorities have granted permission to both parties.

8. Heard the learned counsel for the respective parties.

9. This Court finds that Rajesh Chowdhury, Khokan Ch. Lodh, Subrata Ghosh and Satyanarayan Ghosh have provided no objection to the petitioners to perform Durga Puja in dag No. 601 having khatian Nos. 98, 135, 387 and 778 but there is a dispute with regard to the ownership of dag No. 601, khatian Nos. 98, 135, 387 and 63. The intervenors are claiming that they are the owners of dag No. 601, khatian Nos. 63, 98, 135 and 387. Learned counsel for the petitioners specifically submitted before this Court that they are intending to perform Durga Puja at dag No. 601, khatian No. 778 not in khatian Nos. 63, 98, 135 and 387. Learned counsel appearing for the intervenors submits that the intervenors are intening to perform their puja at dag No. 601, khatian Nos. 63, 98, 135 and 387.

10. Considering the above, this Court finds that it is specific case of the petitioners that the petitioners will perform their puja at dag No. 601, khatian No. 778 and the owner of the said plot has no objection to perform puja by the petitioners in the said plot.

11. In view of the above, the writ petition is disposed by allowing the petitioners to perform their Durga Puja subject to compliance with all formalities at dag No. 601, khatian No. 778 with the condition that no law and order should be disturbed. The local police authorities are also directed to take appropriate

measures so that the law and order in the said area can be maintained.

12. Accordingly, WPA 29541 of 2026 along with the application being CAN 1 of 2026 is disposed of.

13. All parties shall act on the server copy of this order duly downloaded from the official website of this Court.

14. Urgent Photostat certified copy, if applied for, be given to the parties upon compliance with all formalities.

(Krishna Rao, J.)