Ct. No.1
Item No.DL/4
Saikat Mukherjee

IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION
APPELLATE SIDE

WPA(P)/512/2026

KANCHAN DUBEY AND OTHERS]… **Petitioner**

Versus

STATE OF WEST BENGAL AND OTHERS]… **Respondents**

Appearance:

Mr. Anjan Bhattacharya with Ms. Anita Shaw and Ms. Seema Thakur, Advocates for the Petitioners;

Mr. Billwadal Bhattacharyya, Additional Advocate General (through V.C.) with Mr. D.N. Ray, Government Pleader, Mr. Ajit Kumar Misra, Additional Government Pleader, Mr. Anish Kumar Mukherjee and Ms. Megha Datta, Advocates for the Respondent-State;

Mr. Sakya Sen, Senior Advocate with Mr. Jayanta Sengupta and Mr. Ayan Mitra, Advocate for the Respondent No.5

CORAM : RAVINDRA V. GHUGE, CJ.
&
OM NARAYAN RAI, J.

DATE : 13th November, 2026.

***ORDER* (Per Court)**

1. Having heard the Learned Counsel for the appearing parties and having perused the order of the Learned Single Judge dated 14.10.2025

in WPA 23840 of 2025 and the final order of the Appellate Court dated 31.10.2025, dismissing MAT 1830 of 2025, we are not inclined to entertain this Petition. The issue raised before us has been clearly dealt with by the Learned Single Judge whose order dated 14.10.2025 has been sustained by the Appeal Bench vide judgment dated 31.10.2025.

2. However, during the course of the hearing in this matter, which continued from the first session, beyond rising time of the Court, the Learned Additional Advocate General, Shri Billwadal Bhattacharyya, the learned Government Pleader and the learned Additional Government Pleader for the State, made an earnest appeal to the learned Senior Counsel representing Respondent no.5, to permit the Chhath Puja on the Shib Krishna Debuttar Estate, with an assurance that henceforth, from next year, even the Government would not entertain any request for a Chhath Puja on the estate of Respondent no.5. On instructions, the learned Senior Counsels submit that the State Government should install metal detectors and provide adequate police bandobast. The organising committee of the Chhath Puja, were instructing the Learned Counsel for the Petitioners. It is by the consent of all the parties, that an order by consent is passed in the following terms:-

(a) Henceforth, any application or request by any Devotee/body/group etc., or any Chhath Puja Committee, would not

make any request for holding a Chhath Puja on the property of Respondent no.5.

(b) Since the property is a subject-matter of a Civil Suit and since a Court Receiver has been appointed, irrespective of the pending litigation, there would be no request for a Chhath Puja in the property represented by the Court Receiver or the ultimate owners of the property.

(c) The Police authorities would effectively manage and control the crowd.

(d) The Police authorities would set up CCTV Cameras and Metal Detectors and monitor the crowd and the footfall, which would be restricted to a maximum of 3,500, for performing the Chhath Puja which is scheduled on 15-16th November, 2026.

(e) The responsible members of the Committee, instructing the learned Senior Advocate, have tendered their names along with telephone numbers which are as under:-

(i) Santosh Singh (9038512285)

(ii) Ram Babu Sah (8777877650)

(iii) Sunil Thakur (9875523593)

(iv) Ashish Singh (8335858570)

(v) Anita Dutta (7439025236)

(vi) Vineet Gupta (8617759434)

(vii) Nitish Soni (8276822945)

(f) If any untoward incident occurs or if there is surge of a large crowd beyond 3,500, the Police authorities would be empowered to stop the crowd from entering the premises beyond the count of 3,500. The above-mentioned Volunteers/ Chhath Puja Committee members would be personally responsible and liable for any untoward incident which leads to loss of property or injuries to any member of the crowd or death, while making a forceful attempt to enter the premises beyond the count of 3,500.

(g) The above-mentioned Volunteers would be responsible for restraining their devotees upto the maximum number of 3,500.

(h) The Police authorities would install a Loud Speaker System for making public announcement for passing instructions to the devotees who have been permitted to enter the premises of Respondent no.5 for the Chhath Puja.

(i) The Police authorities would ensure a strict vigil and control, over the entry of the crowd which is restricted to the number of 3,500.

(j) The State Government would implement the order passed by this Court dated 14.10.2025 wherein the State is directed to make appropriate arrangements for persons to perform Chhath Puja, on the State ghats or banks of the Ganga River from the next year and not on any person's private property.

(k) The State Government has assured this Court that this is the last instance of permitting Chhath Puja on the property represented by the Court Receiver, Respondent no.5 herein and no request would be entertained for renewing such a request next year onwards.

(l) This Court, as a last instance of Chhath Puja, is recording the consent of the parties and in the light of the above referred judgment of the Learned Single Judge and Division Bench, no such request would be entertained in future.

(m) The Police authorities would restrict entries of two wheelers, three wheelers, four wheelers, tempos, carriers/carriages etc. beyond a particular fixed point which is settled in consultation with Respondent no.5.

(n) The above-mentioned Representatives/Volunteers are permitted to enter the premises of Respondent no.5, tomorrow, only

for the purpose of cleaning the area and making it worthy for conducting the Chhath Puja, on 15.11.2026 afternoon onwards until 07.30 a.m. on 16.11.2026.

(o) There shall be no erection of pandals, except the change rooms to enable the women devotees to use the same for change of clothes.

(p) There shall be no DJ or Load Music played on the premises of Respondent no.5 by the devotees.

3. With the above directions, **this Petition is disposed off**.

4. This order shall not be cited and shall not be treated as a precedent.

(Om Narayan Rai, J.) **(Ravindra V. Ghuge)**
Chief Justice