

02.01.2026
Court No.25
S/L No.1
S. Gayen

**IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION
APPELLATE SIDE**

WPA 30062 of 2025

**Sahalam Molla
Versus
The State of West Bengal & Ors.**

Mr. Sabyasachi Chatterjee
Mr. Subhrajit Saha
Mr. Rishabh Ahmed Khan
Mr. Aritra Ghosh
Ms. Monalisha Sinha
Ms. Chandana Chakraborty

...for the Petitioner

Mr. Sirsanya Bandopadhyay, Ld. Sr. SC
Mr. Tarak Karan

...for the State

1. The petitioner has filed the present writ application praying for a direction upon the respondent No.4 to allow the petitioner to conduct procession/rally from 11 am to 4 pm from NIOS Regional Centre, CL 18A, Salt Lake, Sector-II, Kol-91 to APC Bhavan, DK-7/1, Bidhan Nagar, Sector-II, Kol-91 and the road of the said procession/rally is from CK Market to APC Bhavan via 2nd Avenue. The petitioner submits that the petitioner has applied for permission before the respondent No.7 on 11th December, 2025 and subsequently two emails have also been sent on 28th December, 2025 and 30th December, 2025 requesting for grant of permission to conduct the procession/rally with 500-700 persons from the aforesaid route but till

date the concerned authority has not granted the permission, though the petitioner indenting to conduct the procession/rally on 6th January, 2026.

2. Learned counsel for the State has filed the report signed by the Inspector-in-Charge, Bidhannagar East Police Station and submits that on receipt of the application from the petitioner, enquiry was conducted and found that the rally is 100 meters away from the APC Bhawan which will create nuisance for regular traffic as well as the government offices and the hospital are also situated in the said area. He further submits that the West Bengal Board of Secondary Education, Nivedita Bhawan, Karunamoyee is also located in the said area and in the said office, scrutiny of the Madhyamik Examination is going on and at this stage if the petitioner is allowed to conduct the rally/procession in the said area, the office of the West Bengal Board of Secondary Education will be badly affected.
3. Heard the learned counsel for the respective parties. The petitioner has applied for grant of permission for conducting rally/procession on 11th December, 2025 followed by two emails dated 28th December, 2025 and 30th December, 2025 but in spite of the same, no communication has been made to the petitioner. When the petitioner has filed the writ petition and has served the copy to the respondents, the Inspector-in-

Charge has come with the aforesaid plea. The petitioner intended to conduct rally/procession consisting of 500-700 persons without any microphone or speaker, only they wanted to conduct the rally/procession on the route mentioned above.

4. That the Paschimbanga NIOS D.El.Ed Sangram Moncho intend to conduct the rally/procession for their grievances in the aforesaid route with 500 to 700 persons.
5. The respondent authorities, particularly the respondent No.7 is directed to allow the petitioners' association to conduct the rally consisting of not more than 500 persons from 2 pm to 5 pm from NIOS Regional Centre, CL 18A, Salt Lake, Sector-II, Kol-91 to APC Bhavan, DK-7/1, Bidhan Nagar, Sector-II, Kol-91 from the road of the CK Market to APC Bhavan via 2nd Avenue. The petitioner is directed not to use any microphone or speaker and to conduct the rally in a peaceful manner and shall not violate any law while conducting the rally. The Inspector-in-Charge of Bidhannagar East Police Station is also directed to see that the traffic of the said area shall not be disturbed and make necessary arrangements so that the petitioner can conduct the rally in a peaceful manner. The petitioner is directed to give the name of ten volunteers to the concerned Inspector-in-Charge who

will be responsible to conduct the rally in the aforesaid road.

6. WPA 30062 of 2025 is disposed of.
7. All parties shall act on the server copy of this order duly downloaded from the official website of this Court.
8. Urgent Photostat certified copy, if applied for, be given to the parties upon compliance with all formalities.

(Krishna Rao, J.)