

13-03-2023

ct no. 13

sl. 37

sp

**WPA 5959 of 2023**

Swadesh Ranjan Das Adhikary

**-Versus-**

The State of West Bengal & Ors.

Mr. Rajdeep Majumder,  
Mr. Mayukh Mukherjee,  
Mr. Pritam Roy

...for the petitioner

Mr. Amitesh Banerjee, Id. Sr. St. Counsel,  
Ms. Ipsita Banerjee,  
Mr. Suddhadev Adak

...for the State

The petitioner wishes to hold a rally to pay respects to the persons who were killed on the 14<sup>th</sup> March, a few years ago at Nandigram in a police firing.

Necessary police permission has been applied for but has been denied. The petitioner has been requested to suggest an alternative day for holding their gathering at the said place.

Counsel for the State Mr. Amitesh Banerjee, submits that another political party has been allowed to hold a rally at the said place from 10 am to 2 pm on the same day.

This Court is of the view that there should be a level playing field for all political denominations

and ideologies in the State for holding public rallies, gatherings and meetings. Law and order is indeed an issue that the State needs to look into.

In the above backdrop, this Court directs that the petitioners may hold their rally and/or gathering from 8 am to 10 am on the 14<sup>th</sup> March, 2023 at the Nandigram at Gokulnagar, Adhikaripara Malpally to Sonachura Saheed Minar.

The permission to the other political party to hold a rally shall stand deferred from 10 am to 11 am. They shall be permitted to hold the meeting from 11 am to 3 pm.

The petitioner undertakes to hold a peaceful rally. The public at large should not be inconvenienced in any way whatsoever. Movement of traffic should not be disturbed.

The petitioner may hold the rally and the CRPF may also deploy forces to ensure the petitioner's rally is held smoothly. However, the petitioner, their supporters and the CRPF shall vacate the place indicated hereinabove by 10.30 am.

The State police, to the extent necessary may also be deployed.

With the aforesaid observations, the instant writ petition shall stand disposed of.

There shall be no order as to costs.

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

**(Rajasekhar Mantha, J.)**