WPA 29278 of 2026

Ashis Kumar Dan
v.
The State of West Bengal & Ors.

14.10.26
DL-03
Ct.-19
(S.R.)

Mr. Tapas Maity
Ms. Sanchayita De ... for the petitioner.

Mr. Ajit Kumar Mishra, Ld. AGP
Mr. M.M. Ghosh ... for the State.

1. The writ petitioner and the respondent State are represented by their respective learned counsel.
2. In this writ petition, the writ petitioner has prayed for issuance of appropriate writ/writs against the respondent authorities, more specifically, against the respondent no.4 authority commanding him to grant permission to the writ petitioner being the Secretary of Mecheda Town Club to use the land, particulars of which, has been mentioned in paragraph 5 of the instant writ petition for organizing Durga Puja of the year 2026.
3. At the time of hearing, Mr. Mishra, learned advocate appearing on behalf of the respondent State submitted a letter dated nil as issued by the respondent no.3 authority along with some annexures, which is taken on record.
4. On perusal of the second page of the said documents, it reveals that the jurisdictional BDO

permitted the Mecheda Town Club to organize Durga Puja on and from 15.10.2026 to 21.10.2026.

5. At this juncture, learned advocate appearing on behalf of the writ petitioner draws attention of this Court to the last page of the bunch of papers as submitted on behalf of the State. It is submitted that in the year 2025, the respondent no.4 authority granted permission for using the land as involved in the instant writ petition for erection of Sri Sri Durga Puja Pandel. It is submitted that though the jurisdictional BDO permitted the Mecheda Town Club to organize Durga Puja for the period mentioned in the foregoing paragraph, the writ petitioner will not be able to erect Pandel on the aforementioned land for organizing Durga Puja unless such permission is given by the respondent no.4 authority as given by him in the previous year.
6. On careful perusal of the entire materials as placed before this Court and after hearing the learned advocates for the contending parties, this Court finds sufficient justification in the submission of the learned advocate for the writ petitioner.
7. Admittedly, materials have been placed before this Court that the jurisdictional BDO permitted Mecheda Town Club to organize Durga Puja on and from 15.10.2026 to 21.10.2026, however, for erection of Pandel, the respondent no.4 authority

has not granted any permission for user of the land, particulars of which, has been mentioned in paragraph 6 of the instant writ petition.

8. In view of such, this Court while disposing the instant writ petition directs the respondent no.4 authority to grant permission to erect Pandel for organizing Durga Puja by the Mecheda Town Club for the period 15.10.2026 to 21.10.2026 to the Mecheda Town Club after obtaining an undertaking from the writ petitioner, being the Secretary of Mecheda Town Club, that immediately on and from 22.10.2026 till 24.10.2026 the said Pandel will be removed.

9. Learned advocate-on-record for the State is hereby requested to communicate the server copy and/or gist of this order positively in course of this day to the respondent no.4 authority. The respondent no.4 authority is directed to grant permission to the writ petitioner, as mentioned above, positively by 2.00 p.m. of October 15, 2026.

10. The time limit, as fixed by this Court, is peremptory and mandatory.

11. There shall, however, no order as to costs.

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

(Partha Sarathi Sen, J.)