

N.22Sl
151/CL

WPA 30751 of 2026

Rajib Ghosh & Anr.

v.

The State of West Bengal & Ors.

15.10.2026
SL - 01
Ct.19
(S.R.)

Mr. Bikash Ghoswami
Mr. Mrinal Kanti Biswas
Ms. Shipra Santra ... for the petitioners.

Mr. Asim Hati
Mr. Antariksha Karmakar ... for the State.

Mr. Kanak Kiran Bandyopadhyay
... for the WBSEDCL.

1. The petitioners, the respondent State and the respondent WBSEDCL are represented by their respective learned counsel.
2. At the time of hearing, learned advocate appearing on behalf of the writ petitioners submits before this Court that today at the verge of the beginning of Durga Puja of the year 2026 the writ petitioners seek liberty to perform Durga Puja over the land, particulars of which, has been mentioned in paragraph 3 of the instant writ petition, which according to the writ petitioners, is a Debottar property. It is further submitted on behalf of the writ petitioners that the writ petitioners undertake to perform the said Durga Puja on the said plot of land by erecting a Pandel, which is temporary in nature and after obtaining requisite permissions from all the authorities.

3. Learned advocate appearing on behalf of the WBSEDCL and learned advocate appearing on behalf of the respondent State submit before this Court that the property as involved in the instant writ petition, particulars of which, has been mentioned in paragraph 3 of the instant writ petition is a vested land and the same is now in occupation of the respondent WBSEDCL.
4. Both the learned advocates oppose the prayer.
5. Since the learned advocate for the writ petitioners has made a limited prayer to perform the Durga Puja on the plea that the present writ petitioners and his co-villagers are performing Durga Puja for a considerable length of time, this Court permits the writ petitioners to perform Durga Puja over the plot of land, particular of which, has been mentioned in paragraph 3 of the instant writ petition subject to the following conditions: -
 - A) The writ petitioners shall obtain requisite permission for performing Durga Puja from all authorities concerned, if required.
 - B) The writ petitioners and/or their men and associates shall not erect any Pucca Construction over the said land, however, they are permitted to erect a temporary structure like Pandel made of bamboo and wood.

C) The writ petitioners shall remove the said temporary structure/Pandel positively by October 31, 2026 and will perform the emersion of goddess Durga and goddess Laxmi as per the schedule dates as would be determined by the administration.

6. Before parting with, it is, however, made clear that the writ petitioners will not seek any equity pursuant to this order.
7. The respondent no.8 authority is directed to ensure that the order as passed by this Court is obeyed in its letters and spirit and, in the event, the said structures are not removed by the writ petitioners, the respondent no.8 authority through the learned advocate for the respondent State shall submit a report regarding non-compliance for initiating a contempt proceeding against the writ petitioners, if occasion so arises.
8. Learned advocate for the respondent State is directed to communicate the gist of this order and/or server copy of this order to the respondent no.8 authority. Similar liberty is given to the writ petitioners to communicate the server copy of this order to all concerned respondents and who are directed to act on the server copy of this order.
9. In the event, the permission is sought for by the writ petitioners for performing their said Durga Puja

over the said plot of land, the respondent authorities shall be obliged to grant such permission upon fulfillment of all requisites by the writ petitioners within five o'clock in the evening of October 16, 2026.

10. With the aforementioned observations, WPA 30751 of 2026 stands disposed of.
11. There shall, however, be 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.)