

In The High Court at Calcutta
CONSTITUTIONAL WRIT JURISDICTION
(Appellate Side)

W.P.A. 26128 OF 2026

**AKHIL BHARATIYA ADIVASI VIKAS PARISHAD
AND ANOTHER
VS.
THE STATE OF WEST BENGAL AND OTHERS**

.....

Mr. Prantik Ghosh, Adv.
Mr. Prasad Bhattacharyya, Adv.

...For Petitioners

Mr. Moyukh Mukherjee, Adv.
Mr. Suraj Mishra, Adv.

...For State

1. Affidavit-of-service filed on behalf of petitioners is taken on record. In spite of service of notice upon respondent no.9, said respondent no.9 is not represented.
2. Akhil Bharatiya Adivasi Vikas Parishad (hereinafter referred to as “*said Parishad*”) and Secretary of the said Parishad being petitioner no.2 have approached this Court with the present writ petition seeking direction upon concerned police authority to take steps which would permit said Parishad and its Secretary to perform Karam Puja which is scheduled on 22nd September, 2026.
3. However, during course of hearing it appears from the submissions made on behalf of petitioners and State respondents that the land where Karam Puja is scheduled to be held situates at Mouza-Ganti, J.L. No.01, R.S. & L.R. Plot No.757, L.R. Khatian Nos.18, 252, 392 & 614 at Boro Ganthi (Sarojpally) within Ward No.01 of Bidhannagar Municipal Corporation, is a private land and respondent no.9 has right over the said land.

4. Aforesaid fact is also disclosed in the communication dated 17th September, 2026 of Inspector-in-Charge, Narayanpur Police Station, Bidhannagar Police Commissionerate which is filed on behalf of State respondents and same is taken on record. Copy of the said communication is made over to learned advocate representing petitioners.
5. Therefore, it appears that petitioners are seeking permission to hold Karam Puja on 22nd September, 2026 on a private land on which respondent no.9 has laid claim. If the land in question is a private land, in that event, petitioners are required to obtain permission from the owner/ owners of the said land to perform Karam Puja. In absence of permission from owner/ owners of the land in question, police authority ought not to be directed to permit petitioners to hold Puja.
6. Petitioners shall be at liberty to approach owner/ owners of the aforesaid land in question seeking permission and if permission is accorded, in that event only petitioners shall be permitted to perform Karam Puja on 22nd September, 2026.
7. With the aforesaid observation writ petition is disposed of.
8. Parties to act on the server copy of this order duly downloaded from the official website of this court.

(SAUGATA BHATTACHARYYA, J.)