13.11.2026
Court No.25
D/L No.4
S. Gayen

In the High Court at Calcutta

Constitutional Writ Jurisdiction

Appellate Side

WPA 31821 of 2026

Athbiharia Islamic Religious Jalsa Committee
Versus
State of West Bengal & Ors.

Mr. Shibaji Kumar Das
Mr. Dipendu Sarkar
...for the Petitioner

Mr. Rajdeep Mazumder, Ld. AAG
Mr. Moyukh Mukherjee
Mr. Srijit Halder
...for the State

1. The petitioner has filed the present writ application praying for a direction upon the respondent No.3, the Sub-Divisional Officer, Kalyani Sub-Division to grant permission to the petitioner to organize the annual jalsa on November 16, 2026 at Haringhata, Nadia District wherein Janab Abbas Siddiqui, a religious figure would be the chief guest of the said jalsa and impart his Islamic Preach and lectures to the public at large on the said date.

2. Learned counsel appearing for the petitioner submits that the petitioner intends to hold the jalsa on November 16, 2026 in the land of Athbiharia Jame Masjid Committee and they have no objection for conducting jalsa in their landed property and they have provided the "No Objection Certificate" to the petitioner. It is submitted by the learned counsel for the petitioner that on November 5, 2026 the petitioner

has applied for grant of permission to conduct jalsa on November 16, 2026 but till date the Sub-Divisional Officer has not provided permission to conduct jalsa on November 16, 2026 with the gathering of 1500-2000 people. He further submits that the petitioner undertakes that the petitioner will follow all the guidelines if any issued by the authorities including the law and order situation.

3. Learned Additional Advocate General has submitted report and submits that on receipt of the application submitted by the petitioner, the concerned police station has conducted inquiry and found that the petitioner has not produced any documents with regard to the land in question, no objection from Electricity Department, no objection from the Fire Safety Department and other competent authority. As such, it is not possible for the Sub-Divisional Officer to process the application of the petitioner for providing "No Objection" to the petitioner to hold the jalsa on November 16, 2026 at the land of Athbiharia Jame Masjid Committee. Learned counsel for the State submits that if the petitioner produces all the requisite documents, the authorities will take decision in accordance with law.

4. Heard the learned counsel for the respective parties. Perused the materials on record.

5. This Court finds that the petitioner has submitted the application on November 5, 2026 but the petitioner has

not submitted any further documents either from the Electricity Department or the Fire Safety Department or other authorities, as such, the Sub-Divisional Officer is not in a position to process the application of the petitioner for granting the permission.

6. In view of the above, the writ petition is disposed of by giving liberty to the petitioner to file a fresh application before the Sub-Divisional Officer by tomorrow by disclosing all the documents, i.e., "No Objection Certificate" from the Electricity Department, the Fire Safety Department and the Masjid Committee along with land documents and if the documents are produced by the petitioner before the Sub-Divisional Officer, the Sub-Divisional Officer shall pass appropriate order in accordance with law by tomorrow itself and to communicate the same to the petitioner.

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.)