

19
13.04.2026
Court. No. 25
D.Hira

WPA 6804 of 2026

Ushankar Pathak
Vs.
State of West Bengal & Ors.

Mr. Kamlesh Jha,
Mr. Diptyendu Kumar Pal,
Mr. Md. Raihan Islam.

... for the petitioner

Mr. Swapan Banerjee,
Mr. D. Narayan Banerjee.

... for the State

1. Affidavit-of-service and the Supplementary affidavit filed by the petitioner, in Court today, are taken on record.
2. The grievance of the petitioner in the present writ application that the petitioner is holding Harinam Sangkirtan in every year at Shyampur Mouza, J.L. No. 79. Accordingly, the petitioner has made a representation to the Block Development Officer on 20th February, 2026 and subsequently on 12th March, 2026 for grant of permission to hold the Harinam Sangkirtan from 18th April, 2026 to 20th April, 2026.
3. On receipt of the said application, the Block Development Officer, Shyampur Development Block has informed the petitioner by a communication dated 19th March, 2026 that during the Model Code of Conduct, it is not

possible for the Block Development Officer to grant permission to hold Harinam Sangkirtan on a public land and directed the petitioner to approach before the District Election Officer for obtaining permission to hold Harinam Sangkirtan.

4. Considered the submissions made by the learned counsel for the petitioner and perused the materials on record, this Court finds that the petitioner has already made an application to the District Election Commission for grant permission to hold Harinam Sangkirtan from 18th April, 2026 to 20th April, 2026 on 24th March, 2026 and the same is still pending before the District Election Commission for taking decision.
5. In view of the above, the District Election Officer is directed to consider the application filed by the petitioner for grant of permission to hold the Harinam Sangkirtan from 18th April, 2026 to 20th April, 2026 on or before 16th April, 2026 in accordance with law.
6. As the application is disposed of at the stage of motion, this Court has not gone into the merits, accordingly the District Election Officer is free to take its own decision independently without influence if any observations made in this order.

(Krishna Rao, J.)