

IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION
APPELLATE SIDE

WPA 15898 of 2026

Sankat Prosad Chowdhury & Anr.
-versus
The State of West Bengal & Ors.

Mr. Saptansu Basu, Sr. Advocate
Mr. Mrityunjoy Chatterjee
Mr. Manas Das
Ms. Suchismita Chakraborty
... For the petitioners

Mr. Sahasrangshu Bhattacharjee, AGP
Mr. Arghya Chatterjee
... For the State

Mr. Debarnab Adhikary
... For the respondent no.7

1. None appears on behalf of the private respondents despite service by the Sub-Divisional Officer, Malda Sadar, Malda vide notice dated 16th July, 2026.

2. The private respondents were notified to produce copy of the permission/NOC from the land owner/venue owner failing which the permission dated 2nd July, 2026 would be deemed to be cancelled with immediate effect.

3. As none is present on behalf of the private respondents, there is nothing on record to suggest that the land owner/venue owner issued any 'no objection' or permission for using the land in question for conducting Rath Mela.

4. In view of the above, the Court is constrained to direct the Sub-Divisional Officer, Malda Sadar, Malda to take immediate steps to stop the Rath Mela if already started and take all necessary steps to

ensure that the Mela is not conducted at the subject premises.

5. As the petitioners do not object to the holding of the Rathyatra, the same may be permitted to be held.

6. The stalls set up for the purpose of the Mela should be immediately dismantled and removed.

7. The instruction from the Sub-Divisional Officer, Malda Sadar, Malda dated 16th July, 2026 showing service of notice upon the Secretary of the Rath Samskar Committee signed on 16th July, 2026 filed in Court today be retained with the records.

8. It has been submitted by the learned senior advocate representing the petitioners that the civil suit which was filed by the private respondents, being OC No.81/84, has been dismissed by the Court. Copy of the orders dated 12th June, 2026 and 15th July, 2026 filed in Court by the learned senior advocate representing petitioners be retained with the records.

9. The writ petition stands disposed of.

10. All parties shall act on the basis of a server copy of this order duly downloaded from the official website of this Court.

11. Urgent photostat certified copy of this order, if applied for, be supplied to the parties upon compliance of all requisite formalities.

(Amrita Sinha, J.)