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Rkd

21.07.2026
Ct.05

W.P.A. 16310 of 2026
(IA NO:CAN 1/2026)

Derek O Brien

-vs-

The State of West Bengal & Ors.

Mr. Arka Kumar Nag,
Mr. Rahul Kumar Singh,
Mr. Shrobana Sengupta,
Mr. Kaushik Bandopadhyay,
Ms. Sneha Sarkar

....for the applicant.

Mr. Surajit Nath Mitra,
Mr. Billwadal Bhattacharyya,
Mr. D. N. Roy,
Mr. Suryaneel Das,
Mr. Madhu Jana

....for the State.

1. Application being CAN 1 of 2026 is taken up for consideration in view of urgency as the applicant being the petitioner in WPA 16310 of 2026 has alleged that an untoward incident took place on 20th July, 2026 at night which caused hindrance in making necessary arrangements for convening meeting to observe “Shahid Diwas” on 21st July, 2026.
2. It is submitted by Mr. Nag, learned advocate representing the applicant that when such meeting is being convened on 21st July, 2026 in terms of the order passed by this Court on 15th July, 2026 necessary arrangements are required to be made by concerned police authorities thereby preventing thugs from making disturbance in holding such meeting.
3. Notice of this Court has been drawn to paragraph

13 of the order passed by this Court on 15th July, 2026 wherein concerned police authorities were directed to depute adequate number of police personnel to maintain law and order and to ensure that no untoward incident takes place.

4. Prayer is made by presenting this application seeking modification of the order dated 15th July, 2026 passed by this Court, for providing necessary police protection which would facilitate the applicant to organize meeting peacefully and without any hindrance.
5. Mr. Mitra, learned Advocate General representing the State respondents has submitted on instruction that there was one stray incident on 20th July, 2026 at night at the place where meeting is scheduled to be convened but subsequently necessary arrangements were made by the concerned police authorities in order to prevent thugs from creating disturbance.
6. It is also submitted that police authorities will take necessary steps to ensure adequate assistance in order to facilitate the applicant to hold meeting today i.e. 21st July, 2026. In same breath, maintainability of this application is also raised since after disposal of the connected writ petition present application is taken out.
7. As today is the date fixed for holding meeting to observe "Shahid Diwas" on Cathedral Road and it

has already been directed by this Court upon concerned police authorities to provide adequate protection for peaceful meeting, Joint Commissioner of Police, (HQ), Kolkata is directed to provide all sorts of protection thereby permitting the organizers to hold the meeting peacefully.

8. Let a report be filed by Joint Commissioner of Police being respondent no.9 on 31st July, 2026 when this application will appear under the heading "Application".
9. As in terms of the order dated 15th July, 2026 names and mobile numbers of twenty volunteers were shared with the concerned police authorities by the applicant, those volunteers shall take immediate steps after completing meeting at 3.30 P.M. to dismantle the stage and decorators and electricians shall be permitted to take back all items today by 9 P.M.
10. Police authorities shall provide necessary assistance and protection for convening meeting and permit electricians and decorators to take back their items without any hindrance.
11. Particular flank of the road where meeting is being organized shall be cleaned by the volunteers and other organizers by 10 P.M. today.

(Saugata Bhattacharyya, J.)