

WBCHCA0510922026



Item No. 12
Ct. No.1
PG

**IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION
APPELLATE SIDE
WPA(P) 477 of 2026**

**THE HON'BLE COURT ON ITS OWN MOTION
Versus
NA**

Appearance:

Mr. Subhankar Nag
Mr. Siddhartha Sankar Mondal
Mr. Sohan De

.....Advocates in support of
the Motion

Mr. Billwadal Bhattacharya, Ld. AAG
Mr. Rajdeep Majumder, Ld. AAG
Mr. Moyukh Mukherjee
Ms. Megha Datta

.....Advocates for State

Mr. Saikat Banerjee, Sr. Adv
Mr. Sirsho Banerjee

Amicus Curiae
....Advocate Assisting Amicus Curiae

Mr. Ajay Chaubey

.....Member, Bar Council of West Bengal

**CORAM: RAVINDRA VITHALRAO GHUGE,
CHIEF JUSTICE
&
OM NARAYAN RAI, J.
Date: October 7, 2026**

Order (Per Court)

1. On 25.09.2026, we had passed the following order:

“1. *The Learned Members of the legal fraternity practicing in the High Court at Calcutta, addressed us at mentioning time on 23rd September, 2026 for narrating an incident that affected a Learned Advocate Mr. Sayan Banerjee, who had appeared before the Baruipur Court in a criminal proceeding. After the proceeding was over and he came out of the concerned Court Hall and while he was within the Court premises, he was attacked by unknown persons, who pelted eggs at him and shouted slogans ‘Sayan Banerjee go back’.*

2. *Based on such information this Court directed the Learned Registrar General of this Court to direct the Superintendent of Police, South 24 Parganas, having jurisdiction over the Baruipur Police District, to submit a report. Such report has been tendered to the Court, dated 24.09.2026.*

3. *Based on such report, we directed the Learned Registrar (Judicial) to register the said report as suo motu PIL.*

4. *We appreciate the presence of the Learned Additional Advocates General Mr. Billawadal Bhattacharya and Mr. Rajdeep Mazumder, in the Court Hall today.*

5. *In consultation with the Learned Additional Advocates General, as also Mr. Subhankar Nag, learned Senior Advocate and Mr. Sabyasachi Chatterjee, learned Senior Advocate, we are appointing Mr. Saikat Banerjee, learned Senior Advocate, as Amicus Curiae in this matter. We request him to draft an appropriate PIL Petition in terms of the PIL Rules and file it in this Court. List the PIL Petition on 7th October, 2026 in the Urgent Supplementary List.*

6. *The Registry is directed to share a copy of the report dated 24.09.2026, tendered by the Superintendent of Police, South 24 Parganas, to the Learned Registrar*

General, Learned Additional Advocates General as well as Mr. Saikat Banerjee, learned Amicus Curaie.”

2. In view of the above, the learned Senior Advocate Shri Banerjee, Amicus in this Petition, has tendered a Memo of the Petition along with certain annexures **(59 Pages)**. The parties to be arrayed as Respondents are suggested below:

- 1] State of West Bengal, through the Chief Secretary to the Government of West Bengal, Nabanna, 325, Sarat Chatterjee Road, Mandirtala, Shibpur, Howrah-711102.
- 2] Additional Chief Secretary/Principal Secretary to the Government of West Bengal, Department of Home & Hill Affairs, Nabanna, 325, Sarat Chatterjee Road, Mandirtala, Shibpur, Howrah-711102.
- 3] Principal Secretary to the Government of West Bengal, Department of Law, Writers' Buildings, Kolkata-700001.
- 4] Director General and Inszpector General of Police, West Bengal, West Bengal Police Directorate, Bhabani Bhawan, 31, Belvedere Road, Alipore, Kolkata- 700027.
- 5] Union of India, through the Secretary, Department of Legal Affairs, Ministry of Law and Justice, Government of India, Shastri Bhawan, New Delhi- 110001.
- 6] District Magistrate & Collector, Alipurduar, Dooars Kanya, Integrated Administrative Building, PO Alipurduar Court, Alipurduar-736122.

- 7] District Magistrate & Collector, Bankura, Administrative Building, Bankura Collectorate, Bankura-722101.
- 8] District Magistrate & Collector, Birbhum, PO & PS Suri, Birbhum- 731101.
- 9] District Magistrate & Collector, Cooch Behar, District Magistrate's Office, Cooch Behar-736101.
- 10] District Magistrate & Collector, Dakshin Dinajpur, Collectorate Administrative Building, PO Balurghat, Dakshin Dinajpur- 733101.
- 11] District Magistrate & Collector, Darjeeling, Kutchery Building, Lebong Cart Road, Darjeeling- 734101.
- 12] District Magistrate & Collector, Hooghly, Collectorate, PO & PS Chinsurah, Hooghly-712101.
- 13] District Magistrate & Collector, Howrah, 3rd Floor, New Collectorate Building, 6, Rishi Bankim Chandra Road, Howrah-711101.
- 14] District Magistrate & Collector, Jalpaiguri, Collectorate Building, Jalpaiguri-735101.
- 15] District Magistrate & Collector, Jhargram, Collectorate, Jhargram-721507.
- 16] District Magistrate & Collector, Kalimpong, near Kalimpong Municipality, PO & PS Kalimpong- 734301.
- 17] Collector of Kolkata, Kolkata Collectorate, 11, Netaji Subhas Road, PS Hare Street, Kolkata- 700001.
- 18] District Magistrate & Collector, Malda, Room No. 101, New Collectorate Building, PO English Bazar, Malda-732101.

- 19] District Magistrate & Collector, Murshidabad, Collectorate Administrative Building, Gora Bazar, Berhampore, Murshidabad-742101.
- 20] District Magistrate & Collector, Nadia, Collectorate Building, Krishnanagar, Nadia-741101.
- 21] District Magistrate & Collector, North 24 Parganas, New Administrative Building, Barasat, North 24 Parganas-700124.
- 22] District Magistrate & Collector, Paschim Bardhaman, Kalyanpur, PO Ramkrishna Mission, PS Asansol North, Asansol-713305.
- 23] District Magistrate & Collector, Paschim Medinipur, Collectorate Compound, PO Midnapore, Paschim Medinipur-721101.
- 24] District Magistrate & Collector, Purba Bardhaman, Kachhari Road, Kalibazar, Burdwan-713101.
- 25] District Magistrate & Collector, Purba Medinipur, Collectorate, Tamluk, Purba Medinipur-721636.
- 26] District Magistrate & Collector, Purulia, Old Collectorate Building, Purulia-723101.
- 27] District Magistrate & Collector, South 24 Parganas, New Administrative Building, Alipore, Kolkata-700027.
- 28] District Magistrate & Collector, Uttar Dinajpur, Administrative Building, Karnajora, Raiganj, Uttar Dinajpur- 733130.
- 29] Superintendent of Police, Alipurduar Police District, Beltala Road, Alipurduar – 736121.
- 30] Superintendent of Police, Bankura, Office of the Superintendent of Police, Bankura – 722101.
- 31] Superintendent of Police, Barasat Police District, NH-12, Noapara, Barasat, Kolkata-700124.

- 32] Superintendent of Police, Baruipur Police District, 1st, 3rd & 4th Floor, Commercial Complex, Zilla Parishad Bhaban, Baruipur Kulpi Road, PO & PS Baruipur, Kolkata-700144.
- 33] Superintendent of Police, Basirhat Police District, Sangrampur, PS Basirhat, North 24 Parganas-743422.
- 34] Superintendent of Police, Birbhum, PO Suri, Birbhum- 731101.
- 35] Superintendent of Police, Bongaon Police District, Ramnagar Road, Bongaon, North 24 Parganas- 743235.
- 36] Superintendent of Police, Cooch Behar, Sagardighi Square, PO & Dist. Cooch Behar- 736101.
- 37] Superintendent of Police, Dakshin Dinajpur, Nelson Mandela Sarani, Balurghat, Dakshin Dinajpur- 733101.
- 38] Superintendent of Police, Darjeeling, Richmond Hill, Darjeeling – 734101.
- 39] Superintendent of Police, Diamond Harbour Police District, Amgachia, PO Amgachia, PS Bishnupur, Kolkata – 700104.
- 40] Superintendent of Police, Hooghly (Rural), Kamarkundu, Tarakeswar Road, Singur, Hooghly -712407.
- 41] Superintendent of Police, Howrah (Rural), Paniarah, PS Panchla, Howrah- 711322.
- 42] Superintendent of Police, Islampur Police District, Teesta Pally, Teesta More, Islampur, Uttar Dinajpur- 733 202.
- 43] Superintendent of Police, Jalpaiguri, Collectorate Avenue, Jalpaiguri – 735101.
- 44] Superintendent of Police, Jangipur Police District, Jangipur Polytechnic College Road, Raghunathganj, Murshidabad- 742225.

- 45] Superintendent of Police, Jhargram, New Police Line, Jungle Khas, Deer Park Road, PO & PS Jhargram – 721 507.
- 46] Superintendent of Police, Kalimpong, Birla House, Upper Cart Road, Kalimpong- 734301.
- 47] Superintendent of Police, Krishnanagar Police District, 6, College Street, Nagendranagar, Krishnanagar, Nadia- 741101.
- 48] Superintendent of Police, Malda, North Pirojpur, Ward No. 25, Uma Roy Sarani, Malda – 732101.
- 49] Superintendent of Police, Murshidabad, Berhampore, Murshidabad -742101.
- 50] Superintendent of Police, Paschim Medinipur, Sahid Mangal Pandey Sarani, PO Midnapore, PS Kotwali, Paschim Medinipur- 721101.
- 51] Superintendent of Police, Purba Bardhaman, Kachhari Road, Badamtala, Kalibazar, Bardhaman – 713101.
- 52] Superintendent of Police, Purba Medinipur, Administrative Building, Nimtouri, PS Tamluk, Purba Medinipur- 721648.
- 53] Superintendent of Police, Purulia, PO & Dist. Purulia – 723 101.
- 54] Superintendent of Police, Raiganj Police District, Karnajora Police Line, PO Karnajora, Raiganj, Uttar Dinajpur- 733130.
- 55] Superintendent of Police, Ranaghat Police District, Karmatirtha Bhawan, Buddha Park, Kalyani, Nadia – 741235.
- 56] Superintendent of Police, Sundarban Police District, Lot No. 8, PS Harwood Point Coastal, South 24 Parganas- 743347.
- 57] Inspector-in-Charge, Baruipur Police Station, Baruipur Police District, PO & PS Baruipur, South 24 Parganas, Kolkata- 700144.

- 58] Commissioner of Police, Kolkata, Lalbazar, 18, Lalbazar Street, Kolkata- 700001.
- 59] Commissioner of Police, Howrah Police Commissionerate, 28, Nityadhan Mukherjee Road, Howrah- 711101.
- 60] Commissioner of Police, Barrackpore Police Commissionerate, B.T. Road, Barrackpore, Kolkata- 700120.
- 61] Commissioner of Police, Bidhannagar Police Commissionerate, Salt Lake Stadium Complex, Gate No. 3, Sector III, Kolkata- 700106.
- 62] Commissioner of Police, Chandannagar Police Commissionerate, Netaji Subhash Chandra Road, Ghatakpara, Chinsurah, Hooghly- 712101.
- 63] Commissioner of Police, Asansol-Durgapur Police Commissionerate, Evelyn Lodge, G.T. Road, Kumarpur, Asansol- 713304.
- 64] Commissioner of Police, Siliguri Police Commissionerate, Mallaguri Police Line, PO Pradhan Nagar, PS Matigara, Siliguri- 734003.
- 65] Bar Library Club, High Court, Calcutta, through its Secretary, High Court Building, Kolkata- 700001.
- 66] Incorporated Law Society of Calcutta, through its Secretary, High Court Building, Kolkata- 700001.
- 67] Bar Association, High Court at Calcutta, through its Secretary, High Court Building, Kolkata- 700001.
- 68] Bar Council of India, through its Secretary, 21, Rouse Avenue Institutional Area, New Delhi- 110002.
- 69] Bar Council of West Bengal, through its Secretary.

70] Baruipur Bar Association, through its Secretary, Baruipur Court (Sub-Divisional Civil and Criminal Courts), PO & PS Baruipur, South 24 Parganas, Kolkata -700144.

71] High Court at Calcutta, through its Registrar General, 3, Justice Radha Binod Pal Sarani, First Floor, Kolkata- 700001.

3. We permit the colleague of the learned Amicus to add these 71 proposed Respondents in the cause title.

4. **Issue Notice to Respondent Nos. 1 to 70, returnable on 11th December, 2026.**

5. The learned Additional Advocates General Shri Bhattacharya, and Shri Majumder waives service of Notice on behalf of Respondent Nos. 1 to 4 and 6 to 64.

6. Learned Additional Solicitor General of India Shri Trivedi waives service of notice on behalf of Respondent No. 5.

7. The Registrar General of this Court, who is arrayed as Respondent No. 71, is called upon to serve Court Notice to Respondent Nos. 65 to 70, through their E-Mail addresses.

8. Parties desirous of filing their Affidavit-in-Reply/Report may file the same at least one week prior to the returnable date with proper pagination in continuation with the Petition Paper Book (from Page No. 60 onwards). In the event of overlapping of Page Numbers, we permit the colleague of the learned Amicus to correct the pagination and ensure that the pagination is in continuation.

9. Shri Subhankar Nag, learned Advocate conveyed to us that they have received information that further untoward incidents took place within the precincts of the Court of Chief Judicial Magistrate, Kolkata and a similar untoward incident took place in the Court precincts at Chandannagar in district Hooghly. Shri Nag further conveys that the lawyers working in the said Courts have commenced a strike.

10. It is apparent that this Court was concerned about the incident that was conveyed by Shri Subhankar Nag and Shri Sabyasachi Chatterjee on 25.09.2026 and this Court suo-moto registered a PIL. We are now equally disturbed because a strike has commenced in the above stated two Court premises.

11. Learned Advocate Shri Ajay Chaubey, who is an elected member of the West Bengal Bar Council, coincidentally was present in the Court hall. We have requested him to make a serious effort and approach the concerned office bearers of the Bar Associations at the Court of Chief Judicial Magistrate, Kolkata and the Court at Chandannagar, in order to convince them that the strike should be called off forthwith as it is in nobody's interest and would actually be counter productive since several litigants would be losing opportunities to have their cases heard and decided on the scheduled dates, inasmuch as, adjournment of matters would result in causing grave hardships to every litigants.

12. Shri Chaubey has very graciously stated that he would also be accompanied by some of the members of the Bar Council, who would approach the Bar Associations active in the above stated Courts and make a sincere effort to convince them to recall the strike. He assures that he would convey to this Court about positive developments if the matter is kept after four days.

13. Though we have granted returnable date in this matter and this suo-moto PIL would appear on the said date 11/12/2026, we are

listing this proceeding on 12th October, 2026 in the Urgent Admissions Category at serial No. 1, only for the purpose of enabling Mr. Chaubey to convey to the Court as regards withdrawal of the strikes at the said two Courts.

14. In the meanwhile, the learned Advocates General Shri Bhattacharya and Shri Majumder graciously submit that they would convey to the concerned authorities of the State Government to beef up the security in all the Courts so as to ensure that no further untoward incident occurs.

15. The report tendered by the Superintendent of Police, Baruipur Police District, indicates that an unknown person was seen in the CCTV footage throwing some object. We, therefore, convey to the State that the concerned officer be directed to ensure that the CCTV footage is preserved.

(OM NARAYAN RAI, J.)

(RAVINDRA V. GHUGE)
Chief Justice