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HIGH COURT OF TRIPURA
AGARTALA

WP(C) 768 of 2021

For petitioner(s)	:	Mr. Sanjay Basu, Adv. Mr. Sankar Lodh, Adv
For Respondent(s)	:	Mr. SS Dey, Advocate General Mr. D Bhattacharjee, GA Ms A Chakraborty, Adv.

HON'BLE MR. JUSTICE S. TALAPATRA

Order

30.10.2021

Heard Mr. Sanjay Basu and Mr. Sankar Lodh, learned counsel appearing for the petitioners. Also heard Mr. SS Dey, learned Advocate General and Mr. D Bhattacharjee, learned GA assisted by Ms A Chakraborty, learned counsel appearing for the respondents.

At the instance of the petitioner, Hon'ble the Chief Justice has constituted this Bench considering the urgency. In this petition, the petitioners, All India Trinamool Congress and Anr. have challenged the order contained in the communication dated 30.10.2021 (Anexure-9 to the petition) issued by the Sub-Divisional Police Officer (Sadar) asking for change of venue of the proposed meeting from the front of Rabindra Satabarashiki Bhaban, Agartala to Vivekananda Maidan, Agartala.

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Issue notice calling upon the respondents to show cause as to why rule shall not be issued, as prayed for; and/or why such further and other order(s) shall not be passed as to this Court may deem fit and proper in the circumstances of the case.

Notice is made returnable on **15.11.2021**.

Having heard the learned counsel and deliberated upon the grounds of the interim order, this court is of the view that the following interim order will suffice the purpose.

The petitioners have undertaken before this court that the assembly will not be formed of more than 500 (Five Hundred) people and leaders of the petitioner No.1 shall aid the police in order to ensure that not more than 500 (Five Hundred) people enter in the venue, i.e. on the road in front of the Rabindra Satabarshiki Bhavan, Agartala. This undertaking shall strictly be observed by the petitioners. The police may put Nakas at the appropriate places to regulate the inflow of the supporters of the petitioner No.1 so that the assembly is restricted to 500 (Five Hundred) people, as suggested by the petitioner.

That apart, an undertaking be invariably filed by the petitioner No.1 by 12.00 this night in the West Agartala P.S. that there shall be no gathering at all in the proposed places as

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recorded in the letter dated 29.10.2021 addressed to the Sub-Divisional Police Officer (Sadar) Agartala (Annexure-8 to the petition).

The vehicles can only be parked at the Old Central Jail Ground and Netaji School Ground and at no other place.

Subject to what has been observed and directed above, the petitioner No.1 is permitted to hold their public meeting in the venue, i.e. on the road in front of Rabindra Satabarshiki Bhavan, Agartala.

Unless the undertaking is submitted by 12.00 this night, the police will be at liberty to take action in terms of the order dated 30.10.2021 (Anexure-9 to the petition). On submission of the undertaking, the operation of the impugned order dated 30.10.2021 shall remain suspended.

Since at this hour of the night, this Court is not in a position to supply the copy of the order, the respective parties are requested to download the copy of the order from the High Court Website.

JUDGE