

**HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION
APPELLATE SIDE**

**Present:
THE HON'BLE JUSTICE JAY SENGUPTA**

WPA 6929 of 2025

Rabindra Bharati University & Anr.
Vs.
The State of West Bengal & Ors.

For the Petitioners	: Mr. Biswaroop Bhattacharya Mr. Pratik Majumder Mr. Snehasis Dey
For the State	: Mr. Biswabrata Basu Mallick, Ld. AGP Mr. Biman Halder
For the Intervenor	: Mr. Arka Kumar Nag Ms. Deboleena Ghosh
Heard on	: 27.03.2025
Judgment on	: 27.03.2025

JAY SENGUPTA, J:

This is an application praying for direction upon the respondents, especially the respondent nos. 5 and 6 to provide police posting at the main campus of the Rabindra Bharati University and to ensure free ingress and egress in all the campuses for the officials.

Report filed on behalf of the State is taken on record. Copy of the same is handed over to the learned counsels for the other side.

A copy of a complaint dated 26.03.2025 purportedly lodged by the Security Officer to the Vice-Chancellor of the Rabindra Bharati University before the Officer-in-Charge of Girish Park Police Station, as filed in Court, is also taken on record.

Learned counsel appearing on behalf of the petitioners submits as follows. Some dismissed employees of the University with the aid of the some outsiders have been agitating before the main gate of the Jorasanko and Emerald Bower campuses of the University of Rabindra Bharati in such a fashion as not to allow the Vice-Chancellor and the other officials of the University to enter the said campuses. On 25.03.2025 a Co-ordinate Bench of this Court directed the police authorities to ensure immediate hassle free ingress and egress to the Jorasanko campus of the University for the Vice-Chancellor and other officials of the University. In spite of this, even on 26.03.2025 some dismissed as well as regular employees of the University with a group of student entered into the chamber of the Vice-Chancellor with an intention to cause hurt to him. A dismissed employee namely, Subodh Datta Chowdhury, assaulted the personal secretary of the Vice-Chancellor. Adequate steps may be taken by the police authorities to allow the regular functioning of the University at its campuses and for the officials to enter freely into the said campuses.

Learned counsel claiming to represent one of the members of the Executive Council of the University, as an Intervenor, undertakes to file Vakalatnama and submits as follows. No resolution has been taken in the Executive Council's meeting permitting the petitioner no. 2 to move this

application on behalf of the petitioner no. 1. Some students have certain grievances and want to ventilate the same by meeting the Vice-Chancellor. At the query of the Court about the stand of the Intervenor regarding the issue of police action to be initiated in respect of disturbances created by the dismissed employees, learned counsel submits that his client's only concern is about the grievances of the students.

At this stage, learned counsel appearing on behalf of the petitioners submits that in case of exigency the Vice-Chancellor has sufficient power to allow the Registrar to move such application. Reliance is placed on Section 17(3) of the Rabindra Bharati Act, 1965.

Learned counsel appearing on behalf of the State relies on the report and submits as follows. As directed by this Court earlier, immediate steps have been taken by the police authorities so that the Vice-Chancellor and the other officials of the University could enter the campuses in question. There is a police picket posted outside the University Campus to maintain law and order.

The concern of the Intervenor does not seem to have much relevance in the instant writ petition. If a student wants to make a representation to the Vice-Chancellor, he shall be at liberty to take appropriate steps in this regard in a peaceful manner and even move this Court in case of any violation of his fundamental rights.

However, nobody, far less dismissed employees and outsiders, should be permitted to disrupt the regular functioning of the University. A

dismissed employee or an outsider can enter into the University premises only upon specific permission/license given by the authorities. If they violate such norms, the authorities shall be at liberty to take appropriate action.

It is trite law that everybody has a right to protest, albeit, subject to reasonable restrictions.

Even if the dismissed employees or others want to protest, the same has to be in a peaceful manner and without violating the right of the officials of the University to enter and exit the University premises. To ensure this, let no protest or demonstration by dismissed employees or other outsiders take place within hundred meters of the perimeters of the University campus/es. If the protesters violate such norms, the police shall be at liberty to take appropriate action, if necessary.

In view of the above, let the police authorities also post a picket of police personnel, including arm ones, to prevent any breach of peace or violation of law immediately in front of the campus/es. The police shall, even otherwise, keep a sharp vigil at the locale and ensure that no breach of peace takes place.

With these directions and observations, the writ petition is disposed of.

As affidavits were not called for, allegations contained in the writ petition are deemed not to have been admitted.

Urgent photostat certified copy of this judgment may be supplied to the parties expeditiously, if applied for.

(Jay Sengupta, J)

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