



Ct. No.1

Item No.DL/16

Saikat Mukherjee

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

**WPA(P)/473/2026
with
CAN/1/2026**

SANJAY GHOSH

]... **Petitioner****Versus**

THE HIGH COURT AT CALCUTTA AND OTHERS

]... **Respondents***Appearance:*

Ms. Ankita Biswas with Ms. Saumi Sardar, Advocates for the Petitioner;

Mr. Sukanta Chakrabarty Advocate for the High Court Administration

Mr. Billwadal Bhattacharyya, A.A.G. with Mr. Pratip Mukherjee and Mr. Bikash Kumar Srivastav, Advocates for the Respondent-State;

**CORAM : RAVINDRA V. GHUGE, CJ.
&
OM NARAYAN RAI, J.**

DATE : 12th October, 2026.

ORDER (Per Court)

1. We are informed that the learned Advocate addressing the Court on behalf of the Petitioner, is unwell and cannot remain present in the Court. An adjournment is sought.

2. Pursuant to our order dated 30.09.2026, we had called upon the Registry of this Court to visit the rooftop of the High Court building and gather information as to whether there is any Masjid constructed on the rooftop where persons professing Mohammedan religion offer prayers and as to what is the frequency of offering such prayer during the daytime.

3. The Registry has tendered two sealed envelopes to the Court. Both were opened in the Court. The Report along with colour photographs (10 pages) was shown to the Court. We have perused the Report and have seen the photographs.

4. It clear that there is no Masjid constructed on the rooftop of the Calcutta High Court building. The photographs indicate that there is a small room constructed on the rooftop which contains certain books and literature for the purpose of reading for those professing the Mohammedan religion. The said room has two wooden gates. Both were locked and on enquiry, it was learnt that the keys of the room are with learned Advocate, Ezaz Hossain (Bar Association Room no.12, Mobile no.7044666915). He came to the site along with the learned Advocates Mr. M.D. Ahsanuzzaman, Mr. Syed Nasirul Hossain and Mr. Abu Siddique Mallik. After the room was opened, the above-stated literature, certain mattresses, a few plastic chairs, a few stand fans, a cupboard and certain

belongings were found inside. There were certain belongings like buckets, tubs, water pitchers and a basket full of chappals, as well.

5. We are surprised as to how the keys of the two doors are in the custody of a practising Advocate, Mr. Ezaz Hossain. All the keys to the rooms/doors/Court Halls/staircases, Court premises etc. are to be in the custody of the High Court Administration. So also, the security in the Court premises/buildings as well as the tower, is under the supervision and direction of the High Court Administration. A Security Committee comprising of Learned serving Judges of this Court, is also constituted. We, therefore, permit the Petitioner to add Shri Ezaz Hossain, (Bar Association Room no.12, Mobile no.7044666915) as a Respondent to this proceeding. Addition be carried out forthwith. Re-verification is dispensed with.

6. A copy of this order shall be served by the Petitioner on the added Respondent, learned Advocate Shri Ezaz Hossain. Shri Hossain will have to explain to this Court as to how keys of the locks of the two doors of that room on the rooftop of the High Court building, are in his custody.

7. We direct the Court Associate to place the said Report along with the annexures inside the envelope, which is marked as **'X-2'** collectively, for identification, and re-seal them to be preserved by the Registry.

8. Registry shall place a copy of this order, as well as the order dated 30.09.2026, before the learned Security Committee comprising of serving Judges of this Court, for its perusal. We request the learned Security Committee to offer guidance on the subject as regards the security measures pertaining to the Court premises and the custody of the keys of the said room. The Registry shall place the observations of the learned Security Committee before this Court, in a sealed envelope, on the next date.

9. List this Petition on **14th December, 2026, in the urgent Supplementary/Admissions category.**

(Om Narayan Rai, J.)

(Ravindra V. Ghuge)
Chief Justice