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W.P. 27428(W) of 2014

**Bimal Shankar Nanda & ors.
Versus
State of West Bengal & ors.**

Mr. Kishore Dutta,
Mr. Mayukh Mitra ... for the petitioners.

Mr. Joydeep Kar, Sr. Adv.,
Mr. Billwadal Bhattacharya,
Mr. Arkaprava Sen ... for the respondent no.8 to 11.

Mr. Kalyan Bandyopadhyay, Sr. Adv.,
Mr. Abhratosh Majumdar, Ld. G. P.,
Mr. T. M. Siddique,
Mr. Shuvro Lahiri for the State.

We have heard learned counsel arguing for the petitioners as well as respondent university and State.

Mr. Bikash Ranjan Bhattacharya, learned senior counsel and Mr. Arunava Ghosh, learned senior counsel submit that they are interested to file applications on behalf of some students who are interested in the matter and they must be permitted to be impleaded. We direct the office to serve copies of the cause title to the intending parties to come on record so as to facilitate them to file the necessary application in the office.

Having regard to the situation prevailing in the respondent university campus and the negotiations going on at the behest of Hon'ble Chancellor, Government and the University, the fact situation reveals no classes being conducted in the University as on today. According to the learned counsel representing the University, the

faculty, willing students and the officials connected to the University are not allowed to enter the premises and discharge their duties. According to the learned counsel, the situation is so grave that willing students are physically prevented from entering the campus. It is also brought to our notice that outsiders are taking more interest than the students concerned with ulterior motives. Therefore, there has to be intervention of this Court to have peaceful atmosphere in the campus so as to run the classes normally.

As we gather from the submissions that willing students are not allowed to enter the campus as outsiders are creating trouble at the entrance which is seriously and strongly denied by the intending respondents / students. However, in a situation of this nature, it would not be possible to anyone to control without the intervention of the State mechanism as the learned Government Advocate submits as and when a requisition was sent from the University, they had given necessary police assistance and even now the police from outside the campus are watching the situation constantly.

In the light of above observations, it would be just and proper to have normalcy in the campus.

Therefore, we are of the opinion there has to be interim directions which would assist and enable the University to have a normal day-to-day administration.

They are: -

- a) *A police outpost shall be installed at the required entrances of the University campus so that the police personnel are available to divert any untoward incident happening.*
- b) *The entry to the University campus should be restricted to the identity card holders i.e. the students, faculty or staff of the campus.*
- c) *If any students intend to agitate, they are at liberty to do so at a place indicated by the University so that there shall not be any disturbance to the running of the classes.*
- d) *If any outsider intends to visit the University, the University shall have a desk at the entrance of the University campus who shall issue passes after verifying the details of the prospective visitor who intends to visit the University.*
- e) *The state is directed to deploy necessary police personnel to control the situation whenever needed.*

Place the matter after long Puja Vacation.

(Manjula Chellur, Chief Justice)

(Banerjee, J.)