

December 22, 2025
Sl. No.16-18
Court No.1

WPA(P) 555 of 2025

***Suvendu Adhikari and another
vs.
The State of West Bengal and others***

WITH

WPA(P) 556 of 2025

***Mayukh Biswas
vs.
The State of West Bengal and others***

WITH

WPA(P) 557 of 2025

***Ayush Majumder and another
vs.
The State of West Bengal and others***

Mr. Billwadal Bhattacharyya, Sr. Adv.
Mr. Suryaneel Das
Ms. Megha Datta
Mr. Tamoghna Pramanick
... for the petitioners in WPA(P) 555 of 2025
Mr. Sabyasachi Chatterjee
Mr. Akashdeep Mukherjee
Mr. Pintu Karar
Mr. Badrul Karim
Mr. Rishabh Ahmed Khan
Mr. Kiron Sk.
Ms. Suparna Dutta
Mr. Sarajit Roy
Mr. Sayed Hossain
Mr. Aritra Ghosh
Ms. Monalisha Sinha
Mr. Amirul Hossain
Mr. Jamiruddin Sk.
Mr. Subhrajit Saha
Mr. Imtiaz Akhtar
... for the petitioner in WPA(P) 556 of 2025
Mr. Bikash Ranjan Bhattacharyya, Sr. Adv.
Mr. Firdous Samim
Ms. Gopa Biswas
Mr. Hasanuz Zaman Molla
Ms. Rajashree Saha
Mr. Hasibur Rahaman Jamadar
Ms. Brinta Dutta
Ms. Salini Bhattacharya
Mr. Rajosik Dutta
Mr. Naman Shah
... for the petitioners in WPA(P) 557 of 2025
Mr. Kalyan Kr. Bandopadhyay, Sr. Adv.

Mr. Sirsanya Bandopadhyay, Sr. St. Counsel
 Mr. Arka Kr. Nag
 Mr. Akash Dutta

... for the State in all matters

Mr. Sirsanya Bandopadhyay
 Mr. Arka Kumar Nag
 Mr. Tirthankar Dey

... for the BMC in WPA(P) 556 of 2025

Mr. Rajdeep Mazumder, DSGI

... for the Union of India in WPA(P) 557 of 2025

Mr. Indranil Roy, Sr. Adv.

Mr. Biswajit Manna

... for the respondent no.6 in WPA(P) 555 of 2025,

For respondent no.22 in WPA(P) 556 of 2025,

For respondent no.18 in WPA(P) 557 of 2025/

For organizer

Per, Sujoy Paul, A.C.J.

1. Regard being had to the similitude of the questions involved and prayer made, with the consent of parties, these matters were analogously heard on admission/IR.

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2. Mr. Billwadal Bhattacharyya, learned senior counsel for the petitioner urged that a high-profile event under the name and style of “G.O.A.T. India Tour 2025 was organised in Calcutta on 13th December, 2025 at Vivekananda Yuva Bharati Krirangan (Salt Lake Stadium). The private respondent/organiser sold sizable number of tickets by taking huge amount. The central attraction of the programme was famous football player Mr. Lionel Messi. The advertisement/publication issued in August, 2025. It is learnt that father of said football

player desired that his son's statue be erected in Kolkata. Thus, Minister of Fire and Emergency Services ensured that his 70 feet statue is erected on a public road.

3. The ticket of the event contains the seal of State Government. Thus, it appears to be a State sponsored event. The tickets were sold on high rates and even upto Rs. 10 lakhs. The water bottles and pouches are not permitted inside the Stadium but in the said event water bottles at the rate of 200 per bottle were permitted to be sold inside the stadium. The Sports Minister even hugged the football player in the Stadium. The sizable number of common people who bought tickets and entered the stadium could not even get a proper glimpse of the international football player Mr. Messi. Because of that dissatisfaction, they became furious and thrown chairs and bottles etc. in the Stadium. The said dissatisfaction resulted into destruction of certain portion of stadium including the Astroturf.
4. FIR was *suo moto* registered in Bidhannagar Police Station at 6:30 pm on the same date and organiser /private respondent was made as main accused. In addition, the Hon'ble

Chief Minister has posted a message on social-media/X-handle wherein she apologised for the said mess which took place in the programme of Mr. Messi. In addition, she constituted an enquiry committee in the Chairmanship of a former judge of this Court and consisting of Chief Secretary and Additional Chief Secretary.

5. Learned counsel for the petitioner also placed reliance on the press release dated 16.12.2025 which refers about the preliminary report of the said enquiry committee dated 15.12.2025 and in furtherance thereof shows that the action has been taken against concerned DGP, Commissioner of Police, Bidhannagar, DCP, Bidhannagar, Principal Secretary, Youth Affairs and Sports Departments and CEO of the Stadium. A special investigation team consisting of 4 IPS officers is also constituted to conduct thorough investigation.
6. It is common ground taken by the learned counsel for the petitioners is that the said incident and mess which took place on 13th December, 2025 in the Stadium has resulted into international embarrassment for the city of Kolkata. The action is proposed against

high ranking officers of the State including DGP, CP, DCP, Principal Secretary, CEO etc. The SIT consisting of junior officers cannot conduct a fair and impartial enquiry in a case of this nature against higher officials.

7. Furthermore, by referring to Section 3 of the **Commissions of Enquiry Act, 1952** (Act of 1952) it is urged that for twin reasons the appointment of enquiry committee is bad-in-law **(i)** as per Section 3 of the Act of 1952, the committee can be appointed if a resolution in this regard is passed by the legislature of the State; **(ii)** By notification in the Official Gazette. But in the instant case, the House is not in session and no notification has been issued.
8. There appears to be huge flow of money in the matter of purchase of tickets, taking selfies and photographs with Mr. Messi and the whole conduct of police is directed only to save the politicians. In this backdrop, in view of judgment of this Court reported in **(2017) SCC OnLine Cal 899 (Brijesh Jha vs. Union of India & Ors.)** (which was unsuccessfully challenged before Supreme Court) and judgment of Supreme Court in **(2016) 4 SCC 160 (Dharam Pal vs. State of Haryana &**

Ors.) an impartial enquiry be directed to be conducted under the monitoring of this Court. **(1989) 2 SCC 176 (Andi Mukta Sadguru Shree Muktajee Vandas Swami Suvarna Jayanti Mahotsav Smarak Trust & Ors. vs. V.R. Rudani & Ors.)** is relied upon to contend that even if respondent no. 6 is a private company, it is amenable to the writ jurisdiction of this Court.

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9. Mr. Sabyasachi Charterjee, in addition to said argument of Mr. Bhattaryya learned senior counsel urged that the private respondent is a company under the **Companies Act, 2013** (Companies Act). As per Section 212 (c) of the said Act, the enquiry must be conducted by independent agency because public interest is involved in this matter. He placed reliance on Section 2 of the Act of 1952 and urged that the relevant entries in this matter are entry 8 and 43 of list-I of the 7th Schedule of the Constitution of India. Considering the nature of subject, enquiry can be conducted by a central agency.
10. It is further urged that since the ticket purchasers could not get even a glimpse of the football player Mr. Messi, they deserve

refund of the ticket amount. In addition, Stadium needs restoration. Reliance is placed on **(2025) SCC OnLine 893 (Ramachandraiah & Anr. Vs. M. Manjula & Ors.)** in this regard. Heavy reliance is placed on the paragraph 37 to 40 of writ petition to contend that there was huge amount of flow of money and tickets were sold between Rs. 3 thousand to 10 lakhs per ticket. There is unauthorised appropriation of the State Emblem, VIP patronage extended to political executive etc. attracting sections 3/4 of PML Act for concealments/projection of proceeds through shell entities, sponsorship laundering, and inflated vendor payments..

11. Shri Bikash Ranjan Bhattacharya, learned Senior Counsel submits that the petitioners are not satisfied with the nature of enquiry ordered by the State Government. The Government, in fact, appointed an administrative enquiry committee in place of a judicial enquiry. SIT was established consisting of three IPS officers who are inferior in rank than certain officers regarding whom the press release dated 16th December, 2025 was issued. The FIR *suo moto* lodged in Bidhannagar Police Station is confined to the

incident of destruction of public property inside the stadium. Thus, SIT has a limited role to play and wider conspiracy and flow of money etc. cannot be looked into by the SIT. He placed reliance on certain photograph filed along with the petition to show that the organizer and Government were in hands in gloves. Sri Bhattacharya, learned Senior Counsel informed that the judgment of this Court reported in **2017 SCC Online Kolkata 899 (Brijesh Jha vs. Union of India & Ors.)** has not been interfered with by the Hon'ble Supreme Court.

Stand of Government

12. Sri Kalyan Bandopadhyay, learned Senior Advocate entered appearance for the Government and urged that no doubt shocking event had taken place on 13th December, 2025 in the stadium and the Hon'ble Chief Minister of West Bengal with quiet promptitude tendered a public apology and decided to constitute an enquiry committee headed by a former Judge of this Court. Both the arguments assailing the committee must fail because a gazette notification appointing enquiry committee was indeed published on December 13, 2025

in the Kolkata Gazette, a copy whereof is supplied to this Court. Secondly, it is urged that in view of Section 11 of the Act of 1952 it is not necessary to have the resolution passed from the State Assembly.

13. It is further argued that the document Memo No. 1623 / Jt. CP (HQ)/BDNPC dated 07.11.2025 issued by office of Commissioner of Police, Bidhannagar shows that for the G.O.A.T. event, the NOC was given by police by putting certain conditions which includes that exercise of issuance of ticket/ entry passes will be in the domain of the organizer. He shall follow a flawless and tamper proof system of designing and distribution/ sale of tickets/ passes for the event at the stadium. He shall share the details of full schedule of events before and keep sufficient number of volunteers from his side.

14. It is submitted that the sale of tickets and collection of money were in the hands of the organizer and the State had nothing to do with the same.

15. Furthermore, learned Senior Counsel places reliance on the Government of India (Ministry of Home Affairs) communication to the

Government of WB which shows that for Sri Lionel Messi, Football player of Argentina, the Government decided to provide him “Z” category CRPF security cover on all-India basis. Thus, CRPF was entrusted to provide him security cover everywhere including inside the stadium. Thus, the State cannot be blamed for permitting the persons to reach near the said football player.

16. Sri Bandopadhyay submits that the matter is at the stage of investigation and therefore, he isn't inclined to address the Court on factual matrix. Different kinds of passes were issued to the police, to players and other persons involved in the event.
17. So far, conduct of investigation by inferior officers against the superior officer is concerned Sri Bandopadhyay submits that the doctrine of necessity will apply and since those officers forming part of SIT are nowhere involved with the event in question their impartiality cannot be doubted.
18. Sri Bandopadhyay took this court to the affidavits filed in support of each petition and submits that basic contention raised by learned Senior Counsel for the petitioners are not verified on facts. For example, the basic

allegations which were pointed out and arguments are founded upon are from the averments of para 3 and 7 of WPA(P) 555 of 2025. Further affidavit of the one of the petitioners who is an advocate shows that he stated that para 3 to 18 are true to his knowledge. It is difficult to fathom how an advocate can have knowledge of these events.

19. In WPA(P) 556 of 2025, the affidavit in support of the petition was referred to show that the paragraphs 31 to 49 are in fact submissions of the petitioner and he has not verified the facts thereof. Thus, these are irresponsible petitions filed in the name of public interest whereas these are, in fact, publicity interest or politically interested petitions. Interestingly, he placed reliance on affidavit of WPA(P) 557 of 2025 where the paragraph numbers which were required to be verified are kept blank. Thus, such petitions based on irresponsible and improper affidavit cannot be looked into.

20. Sri Bandopadhyay further argued that similar events had taken under the same organizer at Hyderabad, Mumbai and Delhi. The *modus operandi* of selling tickets etc. was same in all the cities. Before the mess which had taken

place in the Kolkata stadium on 13th December, 2025, no one has filed any complaint about black-marketing of tickets by any Government official/organizer etc. After the mess in the event, all allegations are jumbled up to make a mountain out of a mole.

21. The State has not sold the tickets, hence there is no question of making allegations against the State. The matter is under investigation and depending upon the report and order of the Court, necessary action would be taken.

22. Lastly, it is submitted that investigation cannot be handed over to any other agency including CBI etc. on mere asking. Unless it is established with clarity that present investigation/ enquiry committee is either incompetent or conducting in an unfair manner, question of appointing other interesting body does not arise. PILs do not satisfy the requirement of Rule 56 of the relevant Rules.

23. In support of his aforesaid submission, Shri Bandopadhyay Ld. Senior Counsel placed reliance on **(1988) 4 SCC 534, Bharat Singh and Ors. vs. State of Haryana and Ors.,**

(2010) 3 SCC 402, State of Uttaranchal vs. Balwant Singh Chaufal and Ors., (2023) 11 SCC 401, Manohar Lal Sharma (Pegasus Spyware) vs. Union of India & Ors..

Stand of Organizer

24. Shri Indranil Roy, learned senior counsel appeared on behalf of the organizer and urged that he could not secure vakalatnama of the organizer because he is in custody and police did not permit him to sign the vakalatnama. The police allegedly informed that in absence of any such permission from the court, such vakalatnama cannot be permitted to be signed. He undertakes that if court grants permission, he will obtain vakalatnama and file it. In our view, the prayer is reasonable and accordingly the concerned Court of ACJM, Bidhannagar is directed to take appropriate steps so that the advocate on record for the organizer can file vakalatnama.

25. The learned Counsel for the organizer further urged that the events were organized by one agency which is called GOAT India Trip. The events went unhindered in Hyderabad, Delhi and Mumbai. Merely because there was interruption and dissatisfaction in Kolkata,

wild and irresponsible allegation not supported by any material are made. He informed that the tickets etc. were sold by online apps through different agencies like Zomato.

Rejoinder Submissions:

26. It is common stand of Shri Bhattacharya and Shri Chatterjee that this Court may lift the corporate veil and see the real nature of the happenings. That will show that the events had taken place by involvement of State with the organizer.

27. The parties confined their arguments to the extent indicated above. An arguable case is made out, accordingly, the State Government and organizer are directed to file their Affidavit-in-Opposition in four weeks. Exception/Affidavit-in-Reply be filed within two weeks therefrom.

28. So far prayer for interim relief is concerned, the State Government has forwarded copy of Gazette notification published in Kolkata Gazette dated 13th December, 2025 informing appointment of enquiry committee consisting of a retired judge of this Court and Chief Secretary, Additional Chief Secretary, Home and Police Department. Thus, first argument

that in absence of notification appointment of committee is bad in law deserves to be rejected. So far second argument regarding appointment of enquiry committee is concerned, suffice it to say that Section 11 of Act of 1952 is wide enough which gives powers to the State Government to appoint a committee. Apart from this in **(2001) 6 SCC 50, P. Janardana Reddy vs. State of A.P.**, the Supreme Court considered Section 3 of the Act of 1952 and came to hold that “on a plain reading of statutory provision it is clear that there is no prescribed form or particular manner for the appropriate government to express its opinion that it is necessary to appoint a commission of enquiry”. In that case, the contrary view taken by the concerned High Court was held to be “hyper technical in nature”. Thus, *prima facie* we are unable to hold that appointment of enquiry committee by said Gazette is bad in law. Thus, on this account, the question of granting interim relief does not arise.

29. So far SIT is concerned, the purpose is to conduct investigation. This is trite that investigation is the statutory right of the police. Thus, *prima facie* we find substance in

the argument of State that doctrine of necessity can be pressed into service in a case of this nature, where DGP and Senior Police Officers are involved. It could not be established that members of SIT had any interest in the event in question and for this reasons also, we are not inclined to interfere into investigation at this stage. This is trite that investigation/enquiry cannot be directed to be transferred to CBI or to any other agency on mere asking or merely because a party has leveled allegations. This is trite that in “rare and exceptional case only such directions can be issued when it could be established with accuracy and precession that present investigation/enquiry is vitiated or faulted with. **(See: Minor Irrigation & Rural Engineering Services, U.P. vs. Sahngoo Ram Arya, (2002) 5 scc 521; Common Cause, (1999) 6 SCC 667; State of W.B. vs. Committee for Protection of Democratic Rights, (2010) 3 SCC 571; State of Punjab vs. Davinder Pal Singh Bhullar, (2011) 14 SCC 770; Anant Thanur Karmuse vs. State of Maharastra, (2023) 5 SCC 802).** The investigation and enquiry at present in the instant case is in the

preliminary stage and no material could be placed before us to establish that investigation/enquiry is vitiated or polluted. Hence at this stage, we are not inclined to interfere and stay the investigation/enquiry.

30. Thus, the prayer for interim relief is **rejected**.

31. List this matter in the week commencing from February 16, 2026 under the heading 'for hearing' (PIL Matters).

32. The department is directed to forward a copy of this order to the Learned Additional Chief Judicial Magistrate Bidhannagar to ensure compliance of direction contained in Paragraph No. 24 of this order.

(Sujoy Paul, A.C.J.)

(Partha Sarathi Sen, J.)