

Court No. - 40

Case :- WRIT - C No. - 38290 of 2023

Petitioner :- Samar Singh

Respondent :- State Of U.P. And 3 Others

Counsel for Petitioner :- Sunil Kumar

Counsel for Respondent :- CSC

Hon'ble Mahesh Chandra Tripathi,J.

Hon'ble Prashant Kumar,J.

1. Heard learned counsel for the petitioner and Shri Devesh Vikram, learned Addl. Chief Standing Counsel for State respondents.
2. Present writ petition has been preferred for a direction to respondent authorities to provide shadow/ gunner to the petitioner expeditiously.
3. At the very outset, learned Addl. Chief Standing Counsel raised a preliminary objection regarding the maintainability of the writ petition on the ground that the State Government has issued a Government order dated 9th May, 2014 for providing security, which provides that actual threat perception should exist and that on a mere apprehension security could not be provided. Further, the background, antecedent, criminal history and misuse of security are also relevant considerations to be examined objectively by the State Level Committee while considering the application for grant of security cover and 3 tier system i.e. District level, Regional level and State level is provided for redressal of such dispute.
4. Considering the facts and circumstances of the case, without expressing any opinion on merits of the issue and with the consent, the writ petition stands **disposed of** with observation that in case the petitioner moves an appropriate application as per the Government Order dated 9.5.2014, the authority concerned will consider and decide the said application in accordance with law expeditiously.

Order Date :- 5.12.2023

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