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IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

LPA-1625-2015 [O&M]

Date of Decision : November 16th, 2015

Umesh Pandit

.... Appellant

Versus

State of Haryana etc.

.... Respondents

**CORAM : HON'BLE MR. JUSTICE SATISH KUMAR MITTAL
HON'BLE MR. JUSTICE SHEKHER DHAWAN**

1. Whether Reporters of local papers may be allowed to see the judgment?
2. To be referred to the Reporters or not?
3. Whether the judgment should be reported in the Digest?

Present Mr. Rupinder S Khosla, Senior Advocate,
with Mr. Harpreet Singh Gharuan, Advocate,
for the appellant.

SHEKHER DHAWAN, J.

Present intra-court appeal under Clause X of the Letters Patent has been filed by the appellant against the order dated 15.10.2015 passed by learned Single Judge, whereby writ petition filed by the petitioner-appellant was dismissed.

Originally, the writ petition was filed by the petitioner-appellant on the ground that he was given security at State expenses as he was Secretary of [Kisan Cell] Committee of All India Congress (I) and contested elections for the Member of Legislative Assembly from Chhata Constituency, Mathura, unsuccessfully. He sought directions to the State of Haryana for providing him security in view of threat perception from Student Islami Movement of India [SIMI].

Learned Single Judge, after considering the entire matter, passed

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the impugned order that there was no threat perception to the appellant. Rather, the appellant was misusing the security provided to him at State expenses as 7 – 8 police personnel were at his disposal who were found misbehaving. Respondent-State had taken the plea that PCR had been deployed around the residential area of the petitioner-appellant and as per the report received from the State, there is no threat perception to the appellant.

After hearing learned senior counsel for the appellant, we are of the view that there is no ground to interfere with the well reasoned order passed by learned Single Judge as the security at the State expense is to be provided purely keeping in view threat perception to an individual. State is duty bound to provide security to all the citizens and not to an individual for his status symbol. For providing special security, a case is required to be made out that in fact, there is some actual threat perception to an individual and even in that case, security is to be provided for the limited period only. Accordingly, in this case, threat perception to the appellant has been reviewed by the State and it has been found that at present there is no threat to the appellant. As per report of the State, no such case is made out for providing security to the present appellant at the expense of the State and the present appeal is without any merit. The same stands dismissed.

(SATISH KUMAR MITTAL)
JUDGE

(SHEKHER DHAWAN)
JUDGE

November 16th, 2015
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