

15
22.01.2020
Court No.2
DC

CIRCUIT BENCH OF
CALCUTTA HIGH COURT
AT JALPAIGURI
APPELLATE SIDE

WPA 129 of 2020

**Maa Sewa Medical College
Research Centre and Hospital
Vs.
The Superintendent of Police, Coochbehar & Ors.**

Mr. Kunaljit Bhattacharjee
Mr. Prodyut Kr. Ray.....for petitioner

Mr. Subir Kr. Saha
Ms. Paramita Shaw... for State

The petitioner is a Trust represented by the Chairman and the founder Trustee. The said Trust is registered and has started a project for construction and commencement of a Medical College and Hospital at village and post office-Ghughumari, Police Station Kotwali, District Cooch Behar over 5.08 acres of land.

It is alleged that the petitioner found two known persons along with some unknown persons suspected to be anti-socials/land grabbers on the property when the petitioner went to visit the site in order to inspect the progress of the construction work. When the petitioner raised an alarm, an untoward incident happened and the petitioner apprehends similar

situation in future which may cause delay and hindrance to the construction work and the project initiated by the Trust for public purpose may be frustrated.

The petitioner applied before the concerned police authorities for police posting so that smooth construction may continue and the property could be protected outsiders and trespassers.

The petitioner by an application dated January 02, 2020 requested the Officer-in-Charge of Kotwali Police Station, Cooch Behar for placing two police guards at the entrance of the said Trust property.

It is alleged that despite such representation, no steps have been taken by the police authorities. Being aggrieved by the inaction of the police authorities, this writ petition has been filed.

If the petitioner is apprehensive about the security of the property in question and feels that a noble project, which has been started might be unsuccessful or delayed, on account of alleged illegal activities by the anti-social elements. The petitioner is entitled to police protection at his own cost.

The petitioner will make an application to the Superintendent of Police, Cooch Behar who will assess the situation and the requirement of such police protection/police guard at the entrance of the property and upon such determination and assessment of the

cost shall intimate his decision to the petitioner within a period of ten days from the date of receipt of the application of the petitioner.

If the petitioner complies with the requirements, then police guard, as deemed necessary, by the Superintendent of Police, Cooch Behar shall be posted as per the terms and conditions laid down by the Superintendent of Police, Cooch Behar.

The writ petition is thus disposed of.

Urgent certified photostat copy of this order, if applied for, be supplied to the parties upon observance of requisite formalities.

(SHAMPA SARKAR, J.)