

SL.10
March 17, 2021.
MNS

**CALCUTTA HIGH COURT
In the Circuit Bench at Jalpaiguri**

WPA 371 of 2021

(Through Video Conference)

**Mariom Begum
Vs.
The State of West Bengal and others**

Mr. Arjun Chowdhury

...for the petitioner.

Mr. Hirak Barman,
Ms. B. Bose

...for the State-respondents.

The grievance of the petitioner is that, despite having been granted a *patta* as she comes within the Below Poverty Line (BPL) category and possession having been handed over to the petitioner as long back as November 20, 2017, when the petitioner commenced construction of her residence at the plot-in-question on December 9, 2017, miscreants assaulted the petitioner and her family members and prevented the petitioner from making such construction.

Learned counsel for the petitioner alleges that despite specific complaints being lodged by the petitioner, no action was taken thereon.

It is further submitted that, in spite of the concerned District Magistrate having issued several communications to the Superintendent of Police for considering the petitioner's request regarding police help to aid the petitioner in the construction work, no step has been taken by the police authorities.

Learned counsel appearing for the State-respondents files a report in the form of an instruction, which may be kept on record, authored by the Inspector-in-Charge, Kotwali Police Station, Cooch Behar and indicates that the police have already taken adequate action on the complaints of the petitioner. Apart from registering a police case, bearing Kotwali PS NON FIR PR No. 127/ 2018 dated January 12, 2018 under Section 107 of the Code of Criminal Procedure, adequate enquiry was undertaken and a person was arrested in connection with the charges.

Be that as it may, although there does not appear to be inaction on the part of the police as regards redressal of the complaints lodged by the petitioner regarding the criminal offences perpetrated against her, the police authorities are also required to provide adequate protection to the petitioner while raising construction on the land, in respect of which *patta* was allotted to her.

Accordingly, WPA 371 of 2021 is disposed of by directing respondent no. 4 to provide adequate police protection to the petitioner, by deploying the required number of police personnel for a period of 15 days, commencing from the date on which the petitioner starts construction, for the petitioner to complete such construction without any hindrance from any miscreants.

The petitioner, before commencement of the construction, shall give a notice in writing to the respondent no.4, at least a week prior to such date of commencement, in order for the respondent no.4 to provide such police assistance.

There will be no order as to costs.

The respondent no.4 shall act on the written communication of the learned advocates and/or a server copy of this order, without insisting upon prior production of a certified copy of the same.

Urgent photostat certified copy of this order be given to the parties, if applied for, upon compliance of all requisite formalities.

(Sabyasachi Bhattacharyya, J.)