

24 22.08.2022

gd/ssd

WPA(P)/349/2022  
NAZIA ELAHI KHAN  
VS  
THE UNION OF INDIA AND ORS.

Mr. Tanmay Basu,  
Mr. Debdip Mandal

..for the Petitioner.

Md. T.M. Siddiqui,  
Mr. N. Chatterjee,  
Mr. Y. Singhi

..for the State.

Ms. Susmita Saha Dutta

..for the Respondent Nos.1 and 3.

By this public interest petition the prayer of the petitioner is to direct the respondent nos.2 and 3 i.e. State of West Bengal through the Secretary, Department of Home and Hill Affairs as also the Director General, CRPF to beef up the security of the officers of the Central Bureau of Investigation and the Enforcement Directorate when they enter the premises of any Member/Cadre/Minister of the ruling party in the State of West Bengal for the purpose of the investigation of the cases given to them through the orders of the Court.

It has been alleged in the petition that the CBI and ED are investigating the offences in respect of the members/cadre/leaders as well as Cabinet Ministers of

the ruling party of the State, therefore, even though the investigation is being conducted on the orders of the Court, yet the said agencies are portrayed as the agent of the ruling party in the centre. It is also alleged that the respondent no.6 in a public gathering had stated that when the agency reach their houses, they must greet them with gas cylinders and puffed rice in which oil should be poured.

No authentic material along with the writ petition has been filed to show that the CBI or ED are under the threat for want of adequate protection.

Learned counsel appearing for the respondent no.3 has also stated that the respondent no.3 has been unnecessarily impleaded as party in the present case.

That apart, we also find that the prayer in this petition is for extending protection to the agencies in cases where they are carrying out the investigation under the orders of the Court, therefore even if the need so arises, the concerned agencies can always approach the competent court making such a prayer. The record further reveals that even the CBI or ED for whom the relief has been sought, have not been impleaded in the writ petition.

For want of the necessary material to support the plea taken in the petition and the relief claimed therein and for want of impleadment of necessary parties, we

are of the opinion that no relief in this petition can be granted. The petition is accordingly dismissed.

(Prakash Shrivastava, C.J.)

(Rajarshi Bharadwaj, J.)

qq