

19.06.2023
Item No.14
PG/KS
Ct. No.1

W.P.A.(P) 261 of 2023

Sri Suvendu Adhikari
VS
The State of West Bengal & Ors.

Mr. Soumya Majumder
Mr. Suryaneel Das
Mr. Chiranjit Pal
.....For the Petitioner

Mr. Biswabrata Basu Mallick
Mr. Amrita Lal Chatterjee
.....For the State

Mr. Asok Kumar Chakraborty, Ld. A.S.G.
Mr. Ayanabha Raha
.....For the Union of India

1. None appears for the State. Mr. Biswabrata Basu Mallick, learned advocate along with Mr. Amrita Lal Chatterjee, learned advocate are present in Court. They are requested to appear in this matter. Their appointment shall be regularized by the learned Legal Remembrancer.
2. The petitioner by way of this public interest litigation seeks to flag an issue regarding deployment of police for private events and it is alleged that such private events are being conducted in the State of West Bengal by a

regional party without payment of any fee in this regard.

3. It is submitted by the petitioner that the Police Act, 1861 mandates that police force has been established for the care and protection of the general populace of the State and such police force cannot be used as a private security agency, more particularly, without payment of any funds. In this regard, a representation had been given by the petitioner to the 3rd respondent on 1st May, 2023.
4. This Court can take judicial notice of the fact that whenever the Court directs security to be given to a private individual considering the threat perception, the cost payable for such deployment of police force has to be borne by the person to whom such protection is granted.
5. In this writ petition, the petitioner has made certain allegations against the ruling dispensation, which has not been made a party in the writ petition. Therefore, we are not inclined to go into such allegation but would only direct the 3rd respondent to consider the representation, where the petitioner has alleged that there is deployment

of police force for private purposes without payment of the applicable fee.

6. The representation given by the petitioner shall be considered by the 3rd respondent on merits and in accordance with law as expeditiously as possible.
7. Needless to state that Court has not gone into the merits of the allegation made by the petitioner in the writ petition nor in the representation and it is for the 3rd respondent to take a decision on merits and in accordance with law.
8. With the aforesaid directions, the writ petition is disposed of.
9. No costs.
10. Urgent photostat certified copy of this order, if applied for, be furnished to the parties expeditiously upon compliance of all legal formalities.

(T. S. SIVAGNANAM)
CHIEF JUSTICE

(AJAY KUMAR GUPTA, J.)