

15 05.07.2023
NB Ct. 14

WPA 15111 of 2023

Manabendra Dinda & Anr.
Vs.
The State of West Bengal & Ors.

Mr. Soumya Banerjee,
Ms. Sucheta Banerjee.
...for the petitioners.

Mr. Amitesh Banerjee,
Mr. Suddhedar Adak.
....for the State.

Mr. Asit Baran De.
...for the respondent nos.8.

This is an application under Article 226 of the Constitution of India praying for a direction upon the respondent nos.3 to 7 to provide necessary protection to the petitioners' life and liberty and assistance so that the petitioner no.1 could campaign for the ensuing Panchayat Election as a candidate.

Affidavit of service filed on behalf of the petitioners is taken on record.

Learned counsel appearing on behalf of the petitioners submits as follows. The petitioner no.1 is an independent candidate for Deulpota Gram Panchayat No.9 in the ensuing Panchayat Election. The other contesting candidates and their main agents have threatened him and practically ousted him from his place. As a result, he cannot campaign for the election. The respondent no.8, another contesting candidate, is particularly responsible for this.

Learned counsel appearing on behalf of the State submits as follows. The police authorities have given adequate

protection to all the candidates in the area. If the petitioner no.1 wishes to come and campaign at the concerned gram panchayat and makes a representation for police assistance, the same may be considered by them in accordance with law.

Learned counsel appearing on behalf of the respondent no.8 submits that his client has not caused any hindrance to the petitioner to campaign. He denies all the allegations made by the petitioners.

I have heard the submissions of the learned counsels appearing on behalf of the parties and have perused the writ petition.

It appears that the respondent police authorities are willing to render assistance as regards for providing security.

In the event the petitioner apprehends fear of life while campaigning for the elections, he shall make a representation before them. Any such representation made by the petitioners shall be considered in accordance with law.

No further direction need be passed in this regard.

With these observations, the writ petition is disposed of.

Since affidavits are not called for, allegations made in the writ petition are deemed not to have been admitted.

Urgent photostat certified copy of this order may be supplied to the parties expeditiously, if applied for.

(Jay Sengupta, J.)

