

03.07.2023.
Court No.13
Item No. 13
pk

W.P.A. No. 15624 of 2023
Pranab Kumar Bhattacharyya
Versus
State of West Bengal and others

Mr. Mrityunjoy Chatterjee,
Mr. Debapriya Majumder
...For the petitioner.

Mr. Santanu Kumar Mitra,
Mr. Ganga Prasad Mukherjee
... For the State.

1. The Petitioner is the Secretary of the District Congress Committee, Malda, whose candidates are participating in the ensuing Panchayet Election. He has raised serious allegations of misconduct against Mr. Uday Sankar Ghosh/I. C., Kaliachak Police Station.
2. The petitioner has annexed a complaint of one Tuhina Bibi and A. H. Khan Choudhury, former Union Minister and member of Parliament against the said I.C., Mr. Uday Sankar Ghosh.
3. This Court has entertained number of writ petitions and has had occasion to consider the allegations against the said Mr. Uday Sankar Ghosh/I.C., Kaliachak Police Station.
4. Counsel for the State has, however, submitted that the allegations against the I. C. are rather vague and have not been made by the victims themselves.
5. This Court has considered the said arguments.

6. In view of the ensuing election and given the short time available, it is quite possible that the victims themselves may not be in a position to approach this Court. In the larger interest of free and fair electoral process for the State, this Court has passed the following directions.

7. The same does not necessarily constitute any acceptance by this Court of any of the allegations against the I. C. in question.

8. Without in any way finding formally against any person, this Court directs the S. P., Malda to immediately upon receipt of a copy of this order, consider transferring the said I.C., Kaliachak Police Station to another Police Station and post a responsible and unbiased officer in his place.

9. It is expected that the S. P., Malda shall take a suitable decision within 48 hours of receipt of a copy of this order.

10. The writ petition is disposed of.

11. There will be no order as to costs.

12. All parties are directed to act on a server copy of this order duly downloaded from the official website of this Court.

(Rajasekhar Mantha, J.)