

09 10.08.2023
NB Ct. 14

WPA 18713 of 2023

Abdur Rab Sk. & Ors.
Vs.
The State of West Bengal & Ors.

Mr. Sirajul Haque Mondal,
Mr. Soumen Barman,
Mr. S. Halder.
...for the petitioners.

Mr. Amitesh Banerjee Id.Sr.Standing Counsel,
Ms. Ipsita Banerjee,
Mr. Tarak Karan.
....for the State.

It appears that an inadvertent typographical error had crept into the order dated 07.08.2023 passed by this Court.

At the heading of the first page of the order sheet the expression "learned senior standing counsel" shall be deleted where it appears after the expression "For the petitioners". The names of "Mr. Amitesh Banerjee, Ms. Ipsita Banerjee and Mr. Tarak Karan" were wrongly recorded as having appeared for the petitioners. Actually, they represented the State.

The inadvertent typographical error is hereby corrected and the order dated 07.08.2023 shall always be read conjointly with this order.

Report filed on behalf of the State is taken on record.

It appears that pursuant to the direction passed by this Court on 07.08.2023, police held raids and were able to recover the allegedly abducted elected candidates of Chandpur Gram Panchayat. After rescuing them, FIR was registered and their

statements under Section 164 of the Code were recorded. Now they are being kept in a safe place of their own choice.

Learned counsel appearing on behalf of the petitioners submits as follows. From the sequence of events, the apprehension of the petitioners that the petitioners could be prevented from attending the Board formation meeting is clearly made out. The petitioners are the elected candidates of Chandpur Gram Panchayat. The meeting for Board formation is to take place at the Gram Panchayat Office on 11th August, 2023 at 2pm. It is apprehended that the miscreants belonging to the ruling party may prevent the petitioners from attending the meeting.

Learned senior standing counsel representing the State submits as follows. The police has already complied with the earlier order passed by this Court. The three allegedly abducted winning candidates are kept in a safe custody of their choice. If the petitioners have some kind of further apprehension about attending the meeting tomorrow i.e. on 11th August, 2023, necessary police escorts may be arranged so that they can attend the meeting.

I have heard the submissions of the learned counsels appearing on behalf of the parties and have perused the writ petition and the report dated 09.08.2023 filed by the Superintendent of Police, Murshidabad Police District.

It appears that in compliance of the order passed by this Court, the police could recover the allegedly abducted winning candidates who are the petitioners herein. They are reportedly kept in a safe custody of their choice.

At this stage, learned counsel for the petitioners submits that all the petitioners including the one who were abducted are staying at the same place.

The Superintendent of Police, Murshidabad Police District may be directed to provide necessary police escort so that they can attend the meeting tomorrow i.e. on 11th August, 2023. For this purpose, the petitioners are going to disclose the place, where they are hiding to the Superintendent of Police at his phone number to be provided by the State by tonight.

The Superintendent of Police, Murshidabad Police District shall make necessary arrangements so that the petitioners can be escorted to the venue tomorrow i.e. on 11th August, 2023 by 2pm. when the meeting is scheduled to commence.

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

With these observations, the writ petition is disposed of.

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

(Jay Sengupta, J.)