

11 08.08.2023
NB Ct. 14

WPA 19127 of 2023

Jabeda Bibi @ Jabeda Bibi Sekh & Ors.
Vs.
The State of West Bengal & Ors.

Mr. Sabyasachi Chatterjee,
Mr. Sandipan Das,
Mr. Sayan Banerjee,
Mr. Badrul Karim,
Mr. Kiron Sk.,
Mr. Dipankar Das,
Ms. Indrani Roy,
Mr. Suman Sarkar.
...for the petitioners.

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

Mr. Arun Kr. Maiti,
Mr. Tirthapati Acharyya.
...for the UOI.

This is an application under Article 226 of the Constitution of India praying for a direction upon the respondent authorities to act on the complaints made by the petitioner regarding abduction of some of the petitioners and to grant police protection so that they are able to participate in the Board formation process, which is to take place on 10th August, 2023 at Krishnachandrapur Gam Panchayat Office at 10am..

Learned counsel appearing on behalf of the petitioners submits as follows. The petitioners are the winning candidates in the Gam Panchayat Elections of the Krishnachandrapur Mathurapur 1 Gram Panchayat, South 24-Parganas. It is germane to mention that out of the petitioners four were earlier abducted by some miscreants. They were rescued by the police. They lodged an FIR which needs to be investigated. For

their participation in the Board formation process on 10th August, 2023, some police protection may be granted. It is apprehended that the miscreants would again try to ensure that they are not able to participate in the same.

Learned senior standing counsel representing the State submits as follows. The allegations made in the writ petition are denied. A thorough investigation was carried out and it appears that the purportedly abducted individuals had voluntarily gone away. However, they returned. On their allegations, FIRs have been registered and are being investigated into. Without prejudice, if the petitioners apprehend that some security issue may arise for their participation in the process of Board formation, some police escort may be granted for their travel from the local police station to the Gram Panchayat Office.

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

It appears that FIRs had to be lodged by the petitioners on the allegations that some of the petitioners who were abducted by miscreants after winning the Gram Panchayat Elections. Let the police investigate into those cases expeditiously and in accordance with law.

It further appears that the petitioners apprehend that some further disturbances may be caused by the miscreants when they try to participate in the Board formation process.

Let the petitioners report to the Officer-in-Charge, Mathurapur Police Station on 10th August, 2023 at 8.30 a.m., so that adequate police protection may be given for their travel

to the Gram Panchayat Office for participating in the meeting for Board formation at 10 a.m..

The respondent authorities shall maintain a sharp vigil at the locale and ensure that no breach of peace takes place.

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.)