

09.08.2023
rc/ct.no.14
Item No.11

WPA No. 19216 of 2023
Mritunjoy Poria & Ors.
Versus
The State of West Bengal & Ors.

Adv. Shankar Prasad Dalapati
Adv. Anup Dasgupta
Adv. Sudip Kurhari ...for the petitioners

Adv. Amal Kumar Sen
Adv. Ashima Das (Sil) ...for the State

This is an application under Article 226 of the Constitution of India praying for a direction upon the respondent authorities to provide police protection to the petitioner who are the winning candidates in the Gram Panchayet Elections so that they can participate in the proceeding for board formation.

Affidavit of service filed by the petitioner is taken on record.

Report filed by the State-respondents is also taken on record.

Learned counsel appearing on behalf of the petitioners submits as follows. The petitioners are the winning candidates of Bandipur – I Gram Panchayet in the district of Paschim Medinipur. The formation of the board is to take place at the Bandipur – I Gram Panchayet office on August 11, 2023 at 11.00 A.M. But, the petitioners apprehend that miscreants belonging to the ruling dispensation would try their best to prevent the petitioners from attending such board meeting. The

petitioners have prayed for police protection, but no such help has been granted as yet.

Learned counsel appearing on behalf of the State-respondents relies on the report and submits as follows. The allegations made in the writ petition are denied. However, on the complaint made by the petitioners a proceeding has already been initiated under Section 107 of the Code of Criminal Procedure. Police is keeping sharp vigil and regular police patrolling is going on in the area. If the petitioners still apprehend any kind of danger regarding their participation in the board formation, they can report the local police station so that the police can make necessary arrangement for escorting them to reach the venue.

I have heard the learned counsel appearing on behalf of the parties and have perused the writ petition and the report filed by the State-respondents.

It appears that on the basis of the petitioners' complaint some steps have been taken.

The petitioners are the winning candidates of Bandipur – I Gram Panchayet. The board formation process would take place at the Bandipur – I Gram Panchayet office on August 11, 2023 at 11.00 A.M.

It further appears that the petitioners apprehend that the local miscreants may not allow the petitioner to participate in the said meeting.

In view of the above and in the interest of justice, let the petitioners report to the Officer-in-Charge, Chandrakona Police Station on August 11, 2023 at 09.00 A.M. so that the Officer-in-Charge can make adequate police arrangement to escort them to the venue for participating in the process of board formation.

With the above observations and directions, this writ petition being WPA No. 19216 of 2023 is disposed of.

Since no affidavit is invited, the allegations contained in the petition are deemed not to be admitted.

Urgent certified website copy of this order, if applied for, be furnished to the parties upon compliance of necessary formalities.

(Jay Sengupta,J)