

11.8.2023
ap
02
Suppl.

WPA 19480 of 2023

Tumpa Das & Ors.
Vs.
The State of West Bengal & Ors.

Mr. Sourav Chatterjee
Mr. Moyukh Mukherjee
Mr. Soumya Nag
Mr. Pritam Roy
Mr. Aditya Tiwari
Ms. Sagnika Banerjee
Ms. Namrata Chatterjee
... For the petitioners.

Mr. Arun Kumar Maiti (Mohanty)
Mr. Tirthapati Acharya
... For respondent nos. 5 & 7.

Sk. Md. Galib
Ms. Tanwishree Mukherjee
... For the State.

Let the affidavit-of-service filed by the petitioners
be taken on record.

The petitioners claim to be the winning
candidates of Gram Panchayat Election held in the
State on July 08, 2023.

It is submitted by the learned advocate appearing
for the petitioners that the meetings for formation of
Board of Panchayat Samities under Nandigram Blocks I
and II are scheduled to be held on August 14, 2023 at
11-00 A.M.

The petitioners apprehend that some miscreants
at the instance of rival political parties may prevent

them from attending the meetings for formation of the Boards. They seek adequate police protection to ensure their presence in the meetings.

Mr. Sourv Chatterjee, learned advocate appearing for the petitioner, submits under the similar circumstances a Coordinate Bench of this Court has directed the police to ensure the petitioners' presence in the meetings for formation of the Panchayat Samity Board.

Mr. Md. Galib, learned advocate representing the State submits that the apprehension of petitioners has no foundation.

I am of the view that a Coordinate Bench of this Court has passed some protective orders to ensure a free and fair democratic process in similar facts and therefore, the same protection should be extended to the petitioners in this case also.

Accordingly, this writ petition is disposed of with the following directions.

The Union shall provide adequate number of armed security personnel to ensure that the petitioners are escorted to the venue of the meeting scheduled to be held on August 14, 2023 in both the Blocks as mentioned above.

To ensure the participation of the petitioners in the process of formation of the Board, the respondent

police authorities are restrained from arresting the petitioners in connection with the eighteen cases mentioned in the writ petition, i.e. Nandigram PS Case Nos. 838 of 2021, 797 of 2021, 705 of 2021, 798 of 2021, 794 of 2021, 799 of 2021, 126 of 2023, 924 of 2023, 1639 of 2022, 131 of 2022, 525 of 2021, 527 of 2021, 102 of 2022, 87 of 2023, 105 of 2023, 86 of 2023, 1061 of 2023 and 1066 of 2023 till August 15, 2023.

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

Since no affidavit has been used by the respondents, the allegations made in the writ petition are deemed to be denied.

With the above observations, **WPA 19480 of 2023** is disposed of.

Urgent photostat certified copies of this order, if applied for, be made available to the parties upon compliance with the requisite formalities.

(Kausik Chanda, J.)