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25.08.2023
agm/d.p.

**In The High Court At Calcutta
Constitutional Writ Jurisdiction
Appellate Side**

W.P.A. 20173 of 2023

**Pratima Patra & Ors.
-versus
The State of West Bengal & Ors.**

**Mr. Mayukh Mukherjee,
Ms. Sagnika Banerjee.
...For the Petitioners.**

**Mr. Suman Ghosh,
Mr. Soumen Chatterjee.
...For the State.**

**Mr. Bipul Kumar Mandal.
...For the Respondent
Nos. 5 and 6.**

This is an application under Article 226 of the Constitution of India praying for a direction upon the respondent authorities to provide protection for attending the meeting of Sthayi Samity on 29th August, 2023 at 11 A.M. and for granting an order of “no coercive steps” in respect of pending cases.

Affidavit of service filed on behalf of the petitioners is taken on record.

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

Learned advocate appearing for the petitioners submits as follows. The petitioners are the winning

candidates in the Gram Panchayat Election, 2023 under Nandigram-I Block. They are the Pradhans of the respective Panchayats. They are scheduled to attend a meeting of Sthayi Samity on 29th August, 2023 at 11 A.M. at the meeting hall of the Nandigram-I Panchayat Samity. The miscreants belonging to the ruling political dispensation have been trying to prevent the petitioners first from contesting elections, then formation of board and now from attending important meetings. Earlier, protection was granted by this Court so that the petitioners could participate in the proceeding. The petitioners apprehend further mischief to prevent them from attending the meeting. There are also some cases falsely implicating the petitioners.

The allegations made in the writ petition are denied by the learned advocate for the State. Save and except petitioner no. 4, there are no pending cases against the other petitioners so far as the Nandigram Police Station is concerned.

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

It appears that the petitioners apprehend that local miscreants may try to prevent them from attending the meeting of the Sthayi Samity of the Gram Panchayat. The same is scheduled to be held on 29th August, 2023 at 11 A.M.

In view of the above, let the petitioners report to the Inspector-in-charge of Nandigram P.S. on 29th August, 2023 at 9 A.M. so that the officers can make necessary police arrangement to escort the petitioners to the venue of the meeting.

The travel of the petitioners along with police escort from the police station to the venue shall be videographed.

To facilitate the exercise of democratic rights of the petitioners to participate in the Sthyai Samity meeting, the respondents authority shall not arrest the petitioner no. 4 in connection with Nandigram P.S.09/20 dated 13.01.2020, 415/20 dated 02.12.2020, 526/21 dated 16.08.2021, 671/21 dated 09.10.2021, 236/22 dated 05.04.2022, 1242/22 dated 12.10.2022, 1453/22 dated 11.11.2022, 1638/22 dated 14.12.2022, 1644/22 dated 14.12.2022, 656/23 dated 14.12.2022 till 30th August, 2023.

The respondent police authorities shall keep 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.)