

22.08.2023

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W.P.A. 20331 of 2023

Chaitu Sekh & ors.

Vs.

**The Secretary of West Bengal Election
Commission & ors.**

Mr. Sabyasachi Chatterjee

Mr. Sandipan Das

Mr. Badrul Karim

Ms. Indrani Roy

... for the petitioners

Ms. Sonal Sinha

Mr. Tarun Kr. Chatterjee

Mr. Sujit Gupta

Mr. Sayan Datta

Mr. Soumen Chatterjee

... for the W.B. State Election Commission

Mr. Sirsanya Bandopadhyay

Mr. Arka Kr. Nag

... for the State

Mr. Anuran Samanta

... for the respondent no.3

This is an application under Article 226 of the Constitution of India praying for direction upon the respondent authorities to provide police protection to the petitioners for participating in the Board formation meeting for the Mahanandapur gram panchayat on 25th August, 2023 at 12 noon.

A supplementary affidavit filed on behalf of the petitioners is taken on record. Copy of the same is handed over to the learned Counsel for the State.

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

Learned Counsel appearing on behalf of the petitioners submits as follows. The petitioners are the winning candidates in the Gram Panchayat Election, 2023 belonging to the opposition political party. The miscreants belonging to the ruling party had been threatening the petitioners and trying to prevent them from participating in the Board formation meeting. Necessary police protection may be provided so that the petitioners can exercise their democratic right to participate in the process of Board formation.

Learned Counsel appearing on behalf of the State submits as follows. The allegations made in the writ petition are denied. Even then, if the petitioners have a fear of not being able to attend the Board formation meeting for some reasons, they can approach local police station for necessary police escort. It also appears that the police authorities have already taken steps in respect of the complaint made by the present petitioners and others.

I have heard learned counsels for the parties and have perused the writ petition, the supplementary affidavit filed by the petitioners and the report filed by the State.

The meeting for Board formation appears scheduled to take place at the Mahanandapur Gram Panchayat office on 25th August, 2023 at 12 noon.

The petitioners apprehend that local miscreants may try to prevent them from attending the meeting.

Let the petitioners report to the Officer-in-Charge of Chanchal Police Station on 25th August, 2023 at 10 a.m. so that the Officer can make arrangement for necessary police protection to escort the petitioners to the venue of the meeting.

Even thereafter, the police authorities shall keep a strict vigil at the locale and ensure that peace should be maintained.

With these observations, the writ petition is disposed of.

Urgent Photostat certified copy of this order be supplied to the parties, if applied for, as early as possible.

(Jay Sengupta, J.)