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25.08.2023
agm/d.p.

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

W.P.A. 20445 of 2023

**Krishna Maity & Ors.
-versus
The State of West Bengal & Ors.**

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

**Mr. Asim Kumar Ganguly,
Ms. Jyotsna Roy Mukherjee.
...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 so that the petitioners can participate in the board formation meeting in Thakuranicahak Gram Panchayat, Khanakul-I Development Block, Hooghly, which is scheduled to be held on 28th August, 2023 at 12 Noon.

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 of the said Gram belonging to the opposition political party. The miscreants belonging to the ruling political dispensation have been trying to prevent the

petitioners from attending the board formation process. On the last date fixed for formation of board on 11th August, 2023, they created ruckus, assaulted the petitioners mercilessly and prevented the board from being formed. The petitioners apprehend that local miscreants would prevent them trying to form the board. They also apprehend that they would be arrested in connection with some cases started in this regard.

Learned counsel appearing on behalf of the State submits that the allegations made in the writ petition are denied. It is the petitioners who had created all the mischief.

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 meeting for board formation in the said Gram Panchayat is fixed on 28th August, 2023 at 12 Noon.

The petitioners apprehend that local miscreants may try their best to prevent them from forming the board. They also apprehend that the Administration might have them arrested in connection with cases started in the meantime.

In view of the above, let the petitioners report to the Officer-in-charge, Khanakul P.S. on 28th August, 2023 at 10 am 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.

So that the petitioners can exercise their democratic rights in attending the board formation meeting, let the police not arrest the petitioners in connection with the cases mentioned in the report of the State i.e. Khanakul P. S. Case No. 560/23 dated 12.08.2023, 577/23 dated 16.08.2023, 567/23 dated 12.08.2023, 554/23 dated 11.08.2023 till 29th 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.)