

21.08.2023
Srimanta
Sl. No. 01
Ct. No. 14

WPA/20444/2023

Md. Habib & Ors.
-Vs.-
State of West Bengal & Ors.

Mr. Biswarup Mukherjee,
Mr. Vinayak Chubey,
Mr. Indranil Munshi,

...for the petitioners.

Mr. Suman Ghosh,
Mr. Tanay Chakraborty

...for the State.

This is an application under Article 226 of the Constitution of India praying for direction upon the respondent authorities to grant Police protection to the petitioners so that they can attend the meeting for formation of Board for the Harishchandrapur Panchayat Samiti on 22.08.2023 at 10.30 A.M.

The learned Counsel appearing on behalf of the petitioners submits as follows. The petitioners are the winning candidates in the Panchayat Elections of 2023 for the Harishchandrapur Gram Panchayat. Earlier a meeting for Board formation was scheduled to take place on 14.08.2023. The miscreants belonging to the ruling dispensation were trying to prevent the petitioners from attending such meeting. This prompted them to pray for protection before this Court. By an order dated 14.08.2023 passed in WPA/19733/2023, Police protection was granted for escorting the petitioners from the Police Station to the venue on the date. However, the meeting had to be postponed for certain reasons. Now, it is scheduled to take place tomorrow, i.e., on 22.08.2023 at 10.30

A.M. The petitioners fear that the local miscreants would try their best to prevent the petitioners from

attending such meeting. A case was also started by the Ajamgarh Police against three of the petitioners. Some protection may be given in this regard.

Learned Counsel appearing on behalf of the State submits as follows. The allegations made in the petition are denied. The Administration has already taken sufficient steps to ensure that no breach of peace takes place tomorrow. Sufficient forces have already been deployed. However, if the petitioners fear for any trouble that might take place for their attending such venue, Police protection may be granted to escort them to the venue on the date fixed.

I have heard the submissions made on behalf of the parties and have perused the writ petition.

It appears that the petitioners fear that the local miscreants may try to prevent them from attending the meeting for Board formation scheduled to take place tomorrow.

In view of the above and in the interest of justice, let the petitioners report to the Officer-in-Charge of Harishchandrapur Police Station at 9.00 A.M. on 22.08.2023 so that the Officer can arrange for adequate Police protection to escort them to the venue of the meeting for Board formation.

In any event any requisition for arrest of any of the petitioners is made in connection with Ajamgarh Police Station Case No. 289/2023 dated 10.08.2023, the same shall not be executed till 22.08.2023.

With these observations, the writ petition is disposed of.

The petitioners shall be at liberty to communicate a gist of this order to the others concerned.

Parties are at liberty to act on the server copy of this order.

(Jay Sengupta, J.)