

04.09.2023

WPA 21535 of 2023

**Khukumani Mondal & Ors.
Vs.
The State of West Bengal & Ors.**

Mr. Rajdeep Mazumder
Mr. Moyukh Mukherjee
Ms. S. Banerjee

... ... for the petitioners

Mr. Sk. Md. Galib
Mr. Tamal Taru Panda

... ... 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 meeting of Sthayee Samiti to be held on 5th September, 2023 at 12.00 noon at the meeting hall of Khejuri – II Panchayat Samiti.

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

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

Copy of FIR being Talpatighat Coastal P.S. Case No.184 dated 13.08.2023, as filed on behalf of the petitioners, is taken on record.

Learned counsel appearing on behalf of the petitioners submits as follows. The petitioners are the wining candidates of the Panchayat Samiti as well as Zila Parishad belonging to an opposition political party. The miscreants belonging to the ruling political dispensation

in the State have been trying to prevent the petitioners from attending the meeting of Sthayee Samiti. The petitioners apprehend that the local miscreants would prevent them from participating in the meeting. They also apprehended that they would be arrested in connection with cases started as well as a recent FIR initiated in the locality so that they are unable to attend the meeting.

Learned counsel appearing for the State denies the allegations made in the writ petition. He submits that the petitioners are the ones who created all the mischief. For this, criminal cases had to be started.

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

It appears that meeting of Sthayee Samiti of Khejuri – II Panchayat Samiti is to be held on 5th September, 2023 at 12.00 noon.

The petitioners apprehend that the local miscreants would prevent them from attending the meeting. They also apprehended that the Administration might have them arrested in connection with cases started.

In view of the above, let the petitioners report to the officer-in-charge of Khejuri Police Station on 5th September, 2023 at 10.00 a.m. so that the officer can make arrangement for the petitioners to attend the meeting on the said date. The travel of the petitioners

from the police station to the meeting hall shall be videographed.

In order that the petitioners can exercise their democratic rights by attending such meeting, let the police not arrest the petitioners in respect of Talpatighat Costal P.S. Case No.184 dated 13.08.2023 and the petitioner no.7 in respect of Khejuri Police Station Case No.25 dated 20.01.2021, till 06.09.2023.

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

With the aforesaid observations, the writ petition is disposed of.

As affidavits were not called for, the allegations made are deemed not to have been admitted.

Urgent certified copy of this order, if applied for, be supplied to the parties upon compliance of all requisite formalities.

(Jay Sengupta, J.)