

15.04.2024
Court No.13
Item No.331
AP

WPA 3307 of 2024

**Trishita Kundu
Versus
The State of West Bengal & Ors.**

Mr. Biswajit Tiwari

...For the petitioner.

Mr. Arindam Chattopadhyay
Ms. Lipika Chatterjee

...For the State.

Mr. Shamimul Bari
Ms. Asmita Mitra

...For the DPSC, Malda.

1. The petitioner is posted in the Chaksapur Primary School, Aiho Circle, Malda since 2017. As a consequence of harassment and eve teasing by a local resident, Habibpur Police Station FIR No.273 of 2017 dated 25.07.2017 was registered under Section 341/354(D)/384 of the IPC. The accused concerned was taken into custody for 90 days and thereafter released on bail. Charge sheet has been filed in respect of the said FIR.

2. Since after release from the custody, the accused Satya Roy @ Satyajit Roy has once again assaulted the writ petitioner whereupon Habibpur Police Station FIR No.444 of 2023 dated 21.12.2023 was registered under Section 307/326/341/354D of the IPC. The accused has been once again taken into custody.

3. The writ petitioner is afraid for her life and her both hands have been injured. The writ petitioner was

compelled to put LTI on the writ petition and on the vakalatnama. The father of the writ petitioner has affirmed the writ petition.

4. Having considered the charge sheet and medical records annexed to the writ petition, this Court is satisfied that the petitioner has made out a case for her transfer.

5. In the above circumstances, DPSC, Malda shall give a personal hearing to the writ petitioner and post her to a school nearby her residence, subject to availability or any other school nearby where the writ petitioner would feel safe.

6. Let a copy of the writ petition along with a copy of this order be served upon the DPSC, Malda.

7. Let a decision be taken by the DPSC, Malda within a period of four weeks from date. For the aforesaid purpose, the petitioner shall meet with the Chairman, DPSC, Malda on 30th April, 2024 at 2 pm.

8. With the aforesaid directions, the writ petition is disposed of.

9. There shall be no order as to costs.

10. All parties shall act on the server copy of this order duly downloaded from the official website of this Court.

(Rajasekhar Mantha, J.)