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jdt. 19.01.2026
jb.

WPA 313 of 2026
(Humayun Kabir vs. State of West Bengal & Ors.)

Mr. Subasish Dasgupta
Habibur Rahaman
Syedujjaman
Syen Ali Afzal
Mehabooba Rahaman
Mr. Kuntal Roy
Mr. Kaustav Roy
Noorul Amin Sardar
Ayesha Najrin
Sahinuzzaman
Shahidur Rahaman
Mr. Subrata Ghosh
Ms. Amrita Sen
Mr. A. Palit

.... For the Petitioner

Mr. Swapan Banerjee
Ms. Susmita Shaw
Mr. Diptendu Narayan Banerjee

.... For the State

Mr. Anirban Mitra
Mr. Somnath Adhikary

.... For the Respondent nos. 3, 4 , 7 and 8

The petitioner was a member of West Bengal Legislative Assembly under the banner of the ruling political dispensation and has presently formed his own political party. The petitioner apprehends threat to his life and property and seeks deployment of police personnel, preferably of Z+ category for his protection.

It appears from the report submitted by the State that the petitioner has been granted adequate and large scale police deployment by the district police for the programmes conducted by him and no untoward incident has occurred therein. He has been provided with two armed police constables for his personal security for last several years by the Murshidabad district police which is still continuing. The police

authority has been duly instructed to cover each and every programme of the petitioner and has been complying with such direction till date.

Learned counsel for the Union of India submits that providing personal security is covered under Schedule 7 List 2 which is the domain of the State. However, the petitioner may approach the Ministry of Home Affairs with such request which may be considered by the latter.

Learned counsel for the petitioner submits that due to formation of new political party by the petitioner there may be differences between the district police and the petitioner and the petitioner seeks leave to submit the representation before the Ministry of Home Affairs, being the 4th respondent herein, for deployment of police personnel for his protection subject to payment of requisite cost. Such liberty is granted.

The petitioner is at liberty to submit a comprehensive representation before the 4th respondent demonstrating the circumstances under which he requires deployment of police personnel for security and protection. On receipt of such representation, the 4th respondent shall deal with the same in the light of the facts and circumstances stated therein and take necessary steps in accordance with law, preferably within two weeks from the date of receipt of the application.

It is made clear that this Court has not gone into the merits of the case and the 4th respondent shall be at liberty to deal with the representation submitted by the petitioner in accordance with law.

The writ petition is accordingly disposed of.

There shall be no order as to costs.

Since no affidavit has been invited, allegations contained in the writ petition shall be deemed not to have been admitted.

Urgent certified website copy of the order, if applied for, be given to the parties on compliance of requisite formalities.

(Suvra Ghosh, J.)