06.10.2026
Sl. No. 25 (DL)
Ct.No.19
(Susanta)
(Bench I.D. 266052)

WPA 29332 of 2026

Sarifa Khatun & Ors.
Vs.
The State of West Bengal & Ors.

Mr. Shahar Shah,
Mr. Md. Shahjahan,
... for the Petitioners.
Mr. Shiv Shankar Banerjee,
Mr. Rhitam Chatterjee,
... for the State.

1. Affidavit of service as filed today on behalf of the writ petitioners is taken on record.

2. By filing the instant writ petition, the writ petitioners have prayed for the issuance of appropriate writ/writs commanding the respondent nos. 5-7 authorities to ensure that the present writ petitioners can participate in the meeting of Dhoradaha-II Gram Panchayat which is scheduled to be held on 07.10.2026 at 12.00 O'clock.

3. At the time of hearing, learned advocate appearing on behalf of the writ petitioners submits before this Court that on an earlier occasion, the writ petitioners could not participate in a meeting of no-confidence against Pradhan of the aforementioned Gram Panchayat despite request made by the writ petitioners to the jurisdictional police authorities.

4. It is further argued that since according to the law a similar such meeting cannot be held within the

period of one year, the writ petitioners have to rush a Co-ordinate Bench of this Court by filing WPA 22444 of 2026 wherein the writ petitioners obtained a favourable order.

5. It is argued further that on perusal of page no. 42 of the instant writ petition it would reveal that the Gram Panchayat meeting for consideration of the motion for removal of /lack of confidence against the Pradhan of the aforementioned Gram Panchayat is scheduled to be held on 07.10.2026 at 12.00 O'clock and considering the past conduct of the respondent police authorities appropriate order may be passed so that the present writ petitioners being the members of the aforementioned Gram Panchayat can participate in the said meeting of no-confidence at the schedule date and time.

6. Per contra, Mr. Banerjee learned advocate appearing on behalf of the respondent State submits before this Court that the writ petitioners are not entitled to the relief as prayed for since the instant writ petition is passed on mere apprehension of the writ petitioner.

7. It is argued by Mr. Banerjee, that from the averments made in the instant writ petition as well as from the annexure to the instant writ petition it would reveal that the writ petitioners miserably failed to substantiate their requirement of granting police protection as prayed for in view of the fact no material is forthcoming before this Court to

substantiate the allegations of the writ petitioners that they were prevented to participate in a similar such meeting on an earlier occasion.

8. On careful perusal of the entire materials as placed before this Court and after hearing the learned advocates for the contending parties it appears to this Court that it is an undisputed that the present writ petitioners are the members of the Dhoradaha-II Gram Panchayat. Materials have been placed before this Court to substantiate that meeting for no-confidence against the said Gram Panchayat is scheduled to be held on 07.10.2026 on 12.00 O'clock.

9. It further appears to this Court that the Constitution of India enshrines and recongnizes the right of the present writ petitioners to participate in the said meeting since they are the members of the aforementioned panchayat. From the annexure to the instant writ petition, more specifically; from the judgment and order dated 25.09.2026 as passed in WPA 22444 of 2026 (***Sarifa Khaun & Ors. Vs. The State of West Bengal & Ors.***) it appears to this Court that the said Co-ordinate Bench noted that requisite quorum was not found in the earlier meeting.

10. In view of such, this Court considers that the prayer as made by the writ petitioners for granting adequate protection to them by the jurisdictional police authorities, in considered view of this Court, are genuine one.

11. In view of such, this Court while disposing of the instant writ petition directs the respondent nos. 5, 6 & 7 authorities to take adequate steps for ensuring the protection of the present writ petitioners while participating in the meeting dated 07.10.2026 at 12.00 O'clock in connection with the Dhoradaha-II Gram Panchayat and the said police authorities are further directed to ensure that no hindrance is caused by anybody in smooth holding of the said meeting as scheduled to be held on 07.10.2026 at 12.00 O'clock.

12. With the aforementioned observation WPA 29332 of 2026 is disposed of.

13. Liberty is given to the learned advocate for the writ petitioners to communicate the server copy of this order to the respondent nos. 5, 6 & 7 authorities preferably by e-mail and the respondent nos. 5, 6 & 7 authorities are directed to act on the server copy of this order.

14. For abundant pre-caution this Court also requests the learned advocate appearing on behalf of the State to communicate the gist of this order to the respondent nos. 5, 6 & 7 authorities positively by 5.00 p.m. today.

(Partha Sarathi Sen, J.)