

GAHC010166362020



**THE GAUHATI HIGH COURT**  
**(HIGH COURT OF ASSAM, NAGALAND, MIZORAM AND ARUNACHAL PRADESH)**

**Case No. : WP(C)/4982/2020**

DWIJENDRAJIT SARMAH  
S/O LATE BHUBON CH. SARMAH  
PRESENT ADDRESS  
JDFCS COLONY (NEFA) MOHANBARI, PO MOHANBARI, PS LAHOWAL,  
DIST DIBRUGARH, ASSAM 786014  
PERMANENT ADDRESS  
VILLAGE CHARINGIA, PO CHARINGIA  
PS PULIBOR, DIST JORHAT, ASSAM 785006

VERSUS

THE STATE OF ASSAM AND 2 ORS  
REPRESENTED BY THE COMMISSIONER AND SECRETARY TO THE GOVT.  
OF ASSAM, HOME DEPARTMENT, DISPUR GUWAHATI 781006, KAMRUP M  
ASSAM

2:THE SUPERINTENDENT OF POLICE

3:THE OFFICER IN CHARG

**Advocate for the Petitioner** : MR. B D KONWAR SR. ADV.

**Advocate for the Respondent** : GA, ASSAM

**BEFORE**  
**HONOURABLE MR. JUSTICE SUMAN SHYAM**

**ORDER**

**27.11.2020**

Heard Mr. B. D. Konwar, learned senior counsel appearing for the writ petitioner. Also heard Ms. M. Bhattacharjee, learned Govt. Advocate, Assam, appearing for the official respondents.

By briefly stating the factual backdrop in which the petitioner is allegedly facing threat and harassment from the members of the public living in his neighbourhood, he has approached this Court inter-alia praying for an order of police protection.

Mr. Konwar submits that the daughter of the petitioner is to appear in her Pre-Board Examination from Dibrugarh which is scheduled to be held on 01.12.2020. Mr. Konwar further submits that the petitioner would retire from service on attaining the age of superannuation with effect from 30.11.2020. Under the circumstances, if the petitioner is not granted police protection, then his threat perception would come in the way of his daughter's educational career thereby causing serious prejudice to the interest of the petitioner.

Perused the statements made in the writ petition, wherefrom I find that the petitioner has not made any representation/ application before the police administration of the Dibrugarh district seeking protection.

If that be so, the prayer made in the writ petition cannot be entertained at this stage. However, considering the nature of grievance expressed in the writ petition, without commenting on the merit of the claim of the petitioner, I dispose of this writ petition by granting him leave to submit appropriate representation before the respondent No.2. If such a representation is submitted

by the petitioner within a week from today, his grievance may be looked into and steps, as may be permissible under the law as well as in the facts and circumstances of the case, be taken by the concerned authority.

Writ petition stands disposed of.

**JUDGE**

**Comparing Assistant**