

In The High Court at Calcutta
CONSTITUTIONAL WRIT JURISDICTION
(Appellate Side)

W.P.A. 15259 OF 2026

**MINARUL ISLAM AND ANOTHER
VS.
THE STATE OF WEST BENGAL AND OTHERS
.....**

Mr. Ranadeb Sengupta, Adv.
Mr. Dipanjan Ghosh, Adv.
...For the Petitioners
Mr. Sanjoy Karar, Adv.
...For the State
Mr. Rakib Hussain, Adv.
...For the Private Respondents

1. Affidavit-of-service filed on behalf of the petitioners is taken on record.
2. Learned advocate representing the petitioners submits that in spite of an order of Civil Court dated 6th July, 2023 passed in connection with a partition suit directing the parties to maintain *status quo* regarding the suit property, respondent nos.8 & 9 are violating the said ad interim order of injunction.
3. Prayer is made in this writ petition for issuance of Mandamus directing the concerned police authority to take steps for preserving right of the petitioners over the suit property and compliance of the said order dated 6th July, 2023.
4. State respondents and respondent nos.8 & 9 are represented by learned advocates.
5. It is submitted by the learned advocate representing the respondent nos.8 & 9 that partition suit was instituted by them and same is still pending. In addition thereto submission made on behalf of the

petitioners to the extent of violation of the ad interim order dated 6th July, 2023 is also disputed.

6. If ad interim order dated 6th July, 2023 still subsists and petitioners find that same is not being complied with, in that event, petitioners are required to approach Civil Court in pursuit of remedy.
7. Police authority is not the appropriate authority to decide *inter se* right of the parties over the property in question.
8. Hence, Court is not inclined to interfere with the writ petition and same stands dismissed.
9. Urgent photostat certified copy of the order, if applied for, be given to the parties, upon usual undertakings.

(SAUGATA BHATTACHARYYA, J.)