

IN THE HIGH COURT AT CALCUTTA

CONSTITUTIONAL WRIT JURISDICTION

(APPELLATE SIDE)

WPA 22377 of 2026

Md. Sabir Ali Laskar

–Versus –

The State of West Bengal & Ors.

Mr. Debabrata Mandal

Mr. S. Saha

....for the petitioner

Ms. Suchitra Sinha Chatterjee

Ms. Sumita Sarkar

...for the State respondents

Mr. Sounak Bhattacharya

Mr. Sounak Mandal

Ms. Bipasha Bhattacharyya

...for the respondent no. 6

- 1) Affidavit of service filed on behalf of petitioner is taken on record.
- 2) By presenting this writ petition, prayer is made for giving direction upon concerned police authorities to take steps which would facilitate petitioner to have access to the property in question. A complaint was lodged on 27th April, 2026 by petitioner before concerned police authority alleging that respondent no. 6 blocked part of property impacting petitioner's access to said property.
- 3) State respondents and respondent no. 6 are represented by learned advocates.

4) Mr. Bhattacharya, learned advocate representing respondent no. 6 has disputed submission made on behalf of petitioner and it is submitted that issue involved in this writ petition is civil in nature requiring petitioner to approach appropriate forum.

5) Having considered respective submissions made on behalf of parties and on perusal of complaint dated 27th April, 2026, it transpires that Title Suit No. 925/2024 is pending before the learned Civil Judge (Junior Division), 1st Court, Baruipur, South 24 Parganas and *ad interim* order of injunction was passed on 6th January, 2025 thereby directing defendants not to create any third party interest over suit property without due process of law for limited period of time. However, it is submitted on behalf of petitioner and respondent no. 6 that said interim order of injunction has been extended from time to time.

6) Be that as it may, it appears from submissions made on behalf of parties and from contents of complaint dated 27th April, 2026 that this is a dispute amongst co-sharers and issue is pending before the civil court.

7) In the event petitioner finds that his right to have access to property in question is impacted, in that event petitioner needs to approach civil court in pursuit of remedy. Police authority is not the appropriate authority to decide petitioner's right to have access to property in question.

8) Hence, writ petition is not interfered with and same stands dismissed.

9) However, this order shall not preclude petitioner to approach appropriate forum in pursuit of remedy.

10) Parties to act on server copy of this order duly downloaded from the official website of this Court.

(Saugata Bhattacharyya, J.)