

**CALCUTTA HIGH COURT IN THE CIRCUIT BENCH
AT JALPAIGURI**

**18
20.12.2024
adeb**

WPA 2545 of 2024

**Niranjana Pramanik
Vs.
The State of West Bengal & Ors.**

**Ms. Navneet Yang Lama
Ms. Tuktuki Mondal
...for the petitioner**

**Mr. Swarup Das
...for the Private respondent
Nos. 4 to 7**

Affidavit of service filed on behalf of the petitioner is taken on record.

On hearing the learned advocates representing the petitioner and private respondents it appears that petitioner has grievance with regard to alleged interference made by the private respondents which prevents the petitioner from enjoying possession of the land in question and performing cultivation work thereon. Petitioner prays for writ in the nature of mandamus directing the concerned police authorities to prevent the private respondents from disturbing the peaceful possession and enjoyment of the land in question by the petitioner. However, nothing is shown before this Court which

substantiate claims of the petitioner that he has title over the land in question.

Having considered the issue involved in this writ petition this Court finds that the dispute is civil in nature for which petitioner needs to approach Civil Court and the issue cannot be decided in exercise of writ jurisdiction under Article 226 of the Constitution of India.

Hence, writ petition stands dismissed.

However, this order shall not preclude the petitioner to take steps in accordance with law for getting declaration relating to his right over the land in question.

Urgent photostat certified copy of the order, if applied for, be given to the parties, upon usual undertakings.

(Saugata Bhattacharyya, J.)