

Sl.No.

3

04.09.2025

Court
No. 35

G.S.Das

WPA 19496 of 2025

Mahidul Alam

-Vs-

The State of West Bengal & Ors.

Mr. Souma Subhra Ray
Mr. Arijit Ray
Ms. Neelam Kumari

... for the Petitioner (s)

Ms. Sima Adhikary
Mr. Soumyajit Ghosh

... for the State – respondent(s)

Mr. Dibyayan Banerji
Mr. Abhrajit Roy Chowdhury
Ms. Utsa Podder
Mr. Soham Kumar
Mr. Dipankar Bhar

... for the Respondent No. 10

Mr. Rabi Shankar Chattopadhyay
Mr. Sayan Chattopadhyay
Mr. Samirul Hassan

... for the respondent nos.5-9, 11-15&17

Affidavit of Service filed be kept
with the record.

The petitioner is aggrieved by the
fact that inspite of a civil suit being TS
627 of 2022 pending before the learned
Civil Judge (Sr. Divn.), 1st Court, Barasat
and an ad interim injunction order being
passed, the private respondents are
interfering with the peaceful enjoyment of
his property. To that effect, the police
authorities have been informed, but, no

steps have been taken by the police authorities.

Learned advocate for the respondent nos. 5 to 9; 11 to 15 & 17 submits that a civil suit is already pending and the petitioner is trying to establish his dominance by exhausting police powers.

Learned advocate for the respondent no.10 submits that no case has been made out by the petitioner for invoking the provision under Article 226 of the Constitution of India as an application under Section 151 of CPC is pending before the civil court for consideration.

State has submitted a report which reflects that Madhyamgram PS Case No. 680 of 2025 dated 03.09.2025 has been registered under the BNS and the relevant provision of the West Bengal Land Reforms Act.

Be that as it may, since the police authorities are aware regarding the

dispute between the petitioner and the private respondents and the civil court is *in seisin* of the dispute existing between the petitioner and the private respondents, I am of the view that the police authorities would only oversee that there is no violation of any law and order.

With the aforesaid observations, WPA 19496 of 2025 is disposed of.

Pending application(s), if any, is also disposed of.

Report so submitted be kept with the record.

Parties to act on a server copy of this order duly collected from the official website of the Hon'ble High Court, Calcutta.

(Tirthankar Ghosh, J.)

