

February 10, 2026
(7) ARDR

WPA 2228 of 2026

Bimal Chandra Maity @ Bimal Kumar Maity
Vs.
The State of West Bengal & ors.

Adv. Kallol Basu,
Adv. Nilanjan Pal,
Adv. Samik Sarkar,

...for the petitioner.

Adv. Kamal Mishra,

...for the respondent no.3.

Adv. Vivekananda Bose,
Adv. Subhra Nag,

...for the State.

Supplementary affidavit filed by the petitioner is taken on record.

Learned counsel for the petitioner submits that the property in question belongs to the sons of the petitioner. The property has been wrongly recorded in the name of the 8th respondent in the record of rights for which the petitioner applied before the Block Land & Land Reforms Officer for correction of the same. Since no step was taken by the Block Land & Land Reforms Officer concerned for correction of the record of rights, the petitioner's sons approached the West Bengal Land Reforms & Tenancy Tribunal in Original Application no. 2828 of 2025 wherein the learned Tribunal directed both the parties to maintain status quo in respect of the nature, character and possession of the land in question. Learned counsel submits that despite such order, the private respondents in connivance with the other respondents are trying to dispossess the petitioner and his sons from the property by encroaching upon the same illegally. Complaint lodged by

the petitioner in this regard has not been taken care of. Learned counsel has placed the orders of coordinate Bench of this Court and has submitted that this Court in exercising jurisdiction under Article 226 of the Constitution of India has the authority to protect the rights of the petitioner granted by the learned Tribunal.

Challenging the maintainability of the application, learned counsel for the State submits that since the petitioner alleges violation of the order passed by the learned Tribunal, he is at liberty to approach the Tribunal either in a contempt application or for execution of the said order.

Upon consideration of the submission made on behalf of the parties, this Court is of the view that since an order of status quo has been granted by the learned Tribunal, the petitioner is at liberty to approach the Tribunal to ventilate his grievances. Since it appears that the complaint lodged by the petitioner has not been acted upon by the police authority, the petitioner shall approach the jurisdictional Magistrate under Section 175 of the BNSS for redressal of his grievance.

In the meantime, the police authority shall continue surveillance in the area in order to avoid any untoward incident in view of the strained relationship between the parties and shall ensure maintenance of peace and tranquility. The police shall render necessary assistance/ protection to the petitioner as and when sought.

With the aforesaid direction the writ petition is disposed of.

There shall however, be no order as to costs.

Since no affidavit is invited, the allegations contained in the petition are deemed not to have been admitted.

Urgent certified website copy of this order, if applied for, be supplied to the parties upon compliance with all requisite formalities.

(Suvra Ghosh, J.)