

IN THE HIGH COURT AT CALCUTTA

CONSTITUTIONAL WRIT JURISDICTION
(Appellate Side)

W.P.A. 4641 OF 2026

RABINDRANATH SAHA

VS.

THE STATE OF WEST BENGAL AND OTHERS

Mr. Dipta Dipak Banerjee, Adv.

...for the Petitioner

Mr. Md. Ahsanuz Zaman, Adv.

Mr. Samsul Kabir Humayun Reja, Adv.

...for the State

Mr. Subrata Santra, Adv.

...for the Respondent No.7

1. Affidavit-of-service filed on behalf of the petitioner is taken on record.
2. Learned advocate representing the petitioner submits that petitioner is bargadar in connection with a land situates in the district of Purba Bardhaman and petitioner has been cultivating the land for a long period of time. It is further submitted that private respondents destroyed the crops thereby prompting the petitioner to lodge a complaint before the Katwa Police Station, Purba Bardhaman.
3. State respondents and respondent no.7 are represented by learned advocates.
4. It is submitted on behalf of the respondent no.7 that respondent no.7 is the owner of the land in question and a suit being Title Suit No.28 of 2026 was instituted by the petitioner in connection with the land in question.

5. It is also submitted that by an order dated 21st January, 2026 passed on connected application prayer for *ex-parte* ad interim order of injunction of the petitioner in connection with the pending suit was rejected by the Civil Judge (Junior Division), 1st Court, Katwa and thereafter present writ petition is filed seeking police protection.
6. Considering the submissions made on behalf of the respective parties, it appears that the issue involved in this writ petition is civil in nature and a suit has been instituted before the Civil Court at the instance of the petitioner claiming right over the land in question.
7. During pendency of the suit Court finds it would not be apt to entertain this writ petition.
8. Hence, writ petition stands dismissed.
9. However, police authorities are directed to keep vigil over the land in question and to ensure that no untoward incident takes place.
10. Urgent photostat certified copy of the order, if applied for, be given to the parties, upon usual undertakings.

(SAUGATA BHATTACHARYYA, J.)