

10.
(DL)

05.03.2026
Ct. No. 05
(ARPAN)

IN THE HIGH COURT AT CALCUTTA

CONSTITUTIONAL WRIT JURISDICTION
(Appellate Side)

W.P.A. 4513 OF 2026

RAQUIBA BEGUM AND OTHERS

VS.

THE STATE OF WEST BENGAL AND OTHERS

Mr. Abhishek Halder, Adv.
Ms. Madhurima Basu, Adv.
Mr. Debabrata Halder, Adv.

...for the Petitioners

Mr. Tanmoy Kumar Ghosh, Sr. Govt. Adv.
Mr. Mahammad Masood, Adv.

...for the State

Mr. Sourojit Dasgupta, Adv.
Mr. Sounak Banerjee, Adv.
Mr. Rajesh Jana, Adv.

...for the Respondent Nos.6 & 7

1. Affidavit-of-service filed on behalf of the petitioners is taken on record.
2. Matter is heard in presence of the learned advocates representing the petitioners, State respondents and respondent nos.6 & 7.
3. Learned advocate representing the petitioners has drawn attention of this Court to an order dated 21st July, 2025 passed by the Civil Judge (Jr. Division), 4th Court, Howrah in Title Suit No.1053 of 2025 whereby the defendants and their men in that suit were restrained from creating any disturbance in the peaceful possession of the plaintiffs in respect of the scheduled property and both the parties to that suit were directed to maintain *status quo* in respect of nature and character of the suit property till 20th August, 2025.

4. Reliance is also placed on the order dated 29th July, 2025 in Title Suit No.1053 of 2025 wherein Civil Court directed the Inspector-in-Charge of Domjur Police Station to render necessary help to the plaintiffs for implementation of the ad interim order of injunction passed on 21st July, 2025 whenever such assistance would be required by the plaintiffs to that suit.
5. It is submitted on behalf of the petitioners that instead of rendering necessary police help concerned police authority has sent a letter to the Block Land & Land Reforms Officer, Domjur Development Block, Domjur, Howrah for providing necessary information regarding nature, character and record of rights of the scheduled property in question, which was not the purport of the order dated 29th July, 2025.
6. Petitioners pray for necessary direction upon the concerned police authorities to render police assistance.
7. Learned advocate representing the State respondents has filed a report dated 5th March, 2026 prepared by the Inspector-in-Charge, Domjur Police Station and same is taken on record.
8. On perusal of the report dated 5th March, 2026 of the Inspector-in-Charge, Domjur Police Station, it

appears that police is keeping vigil on the suit property in question to avoid any untoward incident. It is also disclosed in the report that one civil suit being C.S. 978 of 1935 is pending in the Original Side jurisdiction of this Court and several orders were passed on the said suit.

9. Be that as it may, if the order dated 29th July, 2025 passed by the Civil Judge (Jr. Division), 4th Court, Howrah in Title Suit No.1053 of 2025 subsists in that event, concerned police authorities are directed to maintain peace and tranquility at the place where the property in question situates and to ensure that no untoward incident takes place.
10. In view of pendency of civil suit being C.S. 978 of 1935, Court is not passing any order deciding *inter se* right of the parties to that suit and all points are kept open.
11. With the aforesaid observations and directions, writ petition stands disposed of.
12. Urgent photostat certified copy of the order, if applied for, be given to the parties, upon usual undertakings.

(SAUGATA BHATTACHARYYA, J.)