

IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION
(Appellate Side)

W.P.A. 4643 OF 2026

SRI PRIYALAL DUTTA
VS.
THE STATE OF WEST BENGAL AND OTHERS

Ms. Sanjukta Samanta, Adv.
...for the Petitioner

Mr. Swapan Banerjee, AGP
Mr. Tanweer J. Mandal, Adv.
...for the State

1. Matter is heard in presence of the learned advocates representing the petitioner and the State respondents.
2. It is submitted by the learned advocate representing the petitioner that petitioner is not being permitted to stay at his own residence situated under Mouja-Bisnupur, LR Dag No.123/213, LR Khatian No.11803 under the jurisdiction of ADSR, Bidhannagar, North 24 Parganas.
3. Petitioner prays for issuance of mandamus thereby directing the concerned police authorities to provide assistance which would facilitate the petitioner to enter into his own residence and stay there.
4. Mr. Swapan Banerjee, learned Additional Government Pleader representing the State respondents has filed a communication dated 10th March, 2026 of Inspector-in-Charge, Rajarhat Police Station and same is taken on record.

5. On perusal of the said communication dated 10th March, 2026, it appears that a dispute persists amongst the co-sharers in connection with the property in question and petitioner is one of the co-sharers. In addition thereto one Title Suit No.721 of 2021 is pending before the Civil Judge (Senior Division), Barasat, North 24 Parganas.
6. It further appears from the said communication dated 10th March, 2026 that previously petitioner preferred one writ petition being WPA 10939 of 2019 which was dismissed *vide* order dated 17th July, 2019 passed by a Co-ordinate Bench. However, dismissal of the previous writ petition being WPA 10939 of 2019 *vide* order dated 17th July, 2019 is not disclosed in this writ petition.
7. Having considered the respective submissions made on behalf of the parties, Court finds that issue involved in this writ petition relates to a dispute which is civil in nature and at this stage Court ought not pass any order which may impact the Title Suit No.721 of 2021.
8. Moreover, dismissal of previous writ petition being WPA 10939 of 2019 *vide* order dated 17th July, 2019 is not disclosed in this writ petition.
9. Hence, no relief can be granted to this writ petition.

10. Writ petition stands dismissed.
11. Urgent photostat certified copy of the order, if applied for, be given to the parties, upon usual undertakings.

(SAUGATA BHATTACHARYYA, J.)