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23.03.2026
Ct. No. 05
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WPA 4681 of 2026

**Madhab Pradhan
Vs.
The State of West Bengal & Ors.**

Mr. Amit Baran Dash
Ms. Ankana Sarkar
...for the petitioner

Mr. Rabindra Narayan Dutta
Mr. Himangshu Ghosh
...for the State

1. Matter is heard in presence of the learned advocates representing the petitioner and State respondents.
2. However, private respondents are not represented.
3. Petitioner prays for direction upon the concerned police authorities which would permit the petitioner to make construction on the land in question.
4. Learned advocate representing the State respondents has filed a communication dated 5th March, 2026 of Officer-in-Charge, Tamluk P.S., Purba Medinipur and same is taken record.
5. On perusal of said communication dated 5th March, 2026 it appears that petitioner and

private respondents are brothers and both are claiming right over the land in question. A title suit being T.S. Case NO. 115 of 2022 is pending before the learned Civil Judge (Sr. Division), 1st Court, Contai, Purba Medinipur.

6. If petitioner has grievance that private respondents being the defendants in the pending title suit are obstructing him to make construction on the land in question petitioner needs to approach the Civil Court in pursuit of remedy. Police authority is not the appropriate authority to determine the *inter se* right of the parties over the land in question.
7. In view of aforesaid situation no relief can be granted to the petitioner.
8. Writ petition stands dismissed.
9. However this order shall not preclude the petitioner to take steps in accordance with law by approaching the appropriate forum.
10. Urgent photostat certified copy of the order, if applied for, be given to the parties, upon usual undertakings.

(Saugata Bhattacharyya, J.)