

23.
(DL)

17.03.2026
Ct. No. 05
(ARPAN)

IN THE HIGH COURT AT CALCUTTA

CONSTITUTIONAL WRIT JURISDICTION
(Appellate Side)

W.P.A. 5332 OF 2026

**SRI SUMAN CHAKRABORTY AND OTHERS
VS.
THE STATE OF WEST BENGAL AND OTHERS**

Mr. Indranuj Dutta, Adv.
Ms. Benazir Sk.

...for the Petitioners

Mr. Santanu Kumar Mitra, Sr. Adv.
Ms. Anandamayi Ghosh, Adv.

...for the State

Mr. Sujit Kumar Ghosh, Adv.

...for the Respondent No.9

1. Affidavit-of-service filed on behalf of the petitioners is taken on record.
2. Learned advocate representing the petitioners submits that a title suit being T.S. No.4558 of 2014 was instituted by the predecessor-in-interest of the petitioners and the same is pending before the learned Civil Judge (Junior Division), First Court, Serampore, Hooghly. During pendency of the suit, plaintiff died and subsequently, petitioners were substituted being successors-in-interest.
3. Attention of this Court has been drawn to an ad interim order dated 30th March, 2015 passed by the learned Civil Judge (Junior Division), First Court, Serampore, Hooghly whereby parties were directed to maintain *status quo* with regard to the scheduled property.

4. It is also submitted by the learned advocate representing the petitioners during course of hearing that an application instituted by the petitioners is pending before the Civil Court alleging violation of the order dated 30th March, 2015.
5. Prayer is made in this writ petition to direct the concerned police authorities to provide protection to the petitioners till disposal of the application filed before the Civil Court by the petitioners alleging violation of the ad interim order dated 30th March, 2015.
6. State respondents and respondent no.9 are represented by learned advocates who have jointly submitted that issue involved in this writ petition is civil in nature and the present writ petition is not maintainable.
7. On taking note of the ad interim order dated 30th March, 2015 passed by the Civil Court in connection with the T.S. No.4558 of 2014, this Court finds that it is open to the petitioners to take steps, in accordance with law, in the event, said order dated 30th March, 2015 is violated.
8. In view of aforesaid scenario it appears that the issue involved in this writ petition is civil in nature.

Therefore, writ petition is not maintainable and same stands dismissed.

9. However, concerned police authorities are directed to maintain peace and tranquility at the locale.
10. Urgent photostat certified copy of the order, if applied for, be given to the parties upon usual undertakings.

(SAUGATA BHATTACHARYYA, J.)