

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

W.P.A. 5650 OF 2026

KRISHNA HALDER @ KRISHNA CHANDRA HALDER
VS.
THE STATE OF WEST BENGAL AND OTHERS

Mr. Md. Hasanuz Zaman, Adv.
Mr. S.K. Akhan, Adv.
...for the Petitioner

Mr. Jayanta Samanta, Jr. G.A.
Mr. Kazi Sajjad Alam, 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 in spite of obtaining an order of ad interim injunction passed by learned Civil Judge (Junior Division), 3rd Court, Baruipur, South 24 Parganas on 7th November, 2024, private respondents are disturbing peaceful possession of the petitioner over the property in question.
3. Notice of this Court has been drawn to ad interim order dated 7th November, 2024 passed in T.S. No.815 of 2023 whereby defendants were restrained from disturbing peaceful possession over the suit property of the plaintiff and there was further direction not to change nature and character of the said property till disposal of the suit.

4. However, complaining of unlawful acts on the part of the private respondents a complaint was lodged with the Inspector-in-Charge, Kultali Police Station, South 24 Parganas and a G.D. Entry being No.899 dated 19th January, 2026 was made.
5. Learned advocate representing the State respondents submits that the issue involved in this writ petition is civil in nature and T.S. No.815 of 2023 is pending before the Civil Court.
6. Considering the case made out in this writ petition and taking note of the fact that a suit is pending before the Civil Court, this Court grants leave to the petitioner to approach the Civil Court, in accordance with law, if the ad interim order dated 7th November, 2024 is violated by the private respondents.
7. However, authorities of Kultali Police Station are directed to maintain peace and tranquility at the locale and keep vigil over the property in question.
8. Writ petition stands disposed of.
9. Urgent photostat certified copy of the order, if applied for, be given to the parties, upon usual undertakings.

(SAUGATA BHATTACHARYYA, J.)