

WPA 5622 of 2026

**Shubhendu Sarkar
Vs.
The State of West Bengal & Ors.**

Mr. Hamidur Rahaman
...for the petitioner

Mr. Jagabandhu Roy
Mr. Amartya Pal
...for the State

Mr. Uday Narayan Betal
Mr. Bhaskar Hutait
...for the respondent nos. 4 & 6

1. Affidavit of service filed on behalf of the petitioner is taken on record.
2. Matter is heard in presence of the learned advocates representing the petitioner, State respondents and respondent nos. 4 and 6.
3. Learned advocate representing the petitioner submits that petitioner is the owner of the land in question and he has right to cultivate the said land.
4. Prayer is made for directing the concerned police authorities to extend protection to the petitioner which would permit the petitioner to enjoy the peaceful possession of the land in question.

5. Learned advocate representing the State respondents has placed before this Court a communication dated 16th March, 2026 of Sub Inspector of Police, Raninagar Police Station, Murshidabad and same is taken on record.
6. On perusal of said communication dated 16th March, 2026 it appears that petitioner instituted a suit being no. 457 of 2025 claiming his right over the land in question.
7. Learned advocate representing respondent nos. 4 and 6 has submitted that another suit was instituted by those respondents being T.S. No. 329 of 2025 and in connection with the said suit private respondents obtained *ad interim* order of injunction thereby restraining the petitioner from disturbing their peaceful possession over the land in question.
8. Having considered the submissions made on behalf of the parties and taking note of communication dated 16th March, 2026 it appears that both the petitioner and private respondents are claiming right over the land in question and two suits are pending before the Civil Court.
9. Police authority is not authorized to decide the *inter se* right of the parties to this writ petition in connection with the land in question.

10. Hence, Court is not inclined to interfere with this writ petition and same stands dismissed.
11. However, this order shall not preclude the petitioner to approach the appropriate forum in pursuit of remedy.
12. Urgent photostat certified copy of the order, if applied for, be given to the parties, upon usual undertakings.

(Saugata Bhattacharyya, J.)