

19
rkd 30.03.2026
Ct.05

W.P.A. 6218 of 2026

Bipul Mondal

-vs-

The State of West Bengal & Ors.

Mr. T. K. Halder,
Mr. G. S. Kadeei

....for the petitioner.

Mr. Sarvesh Chandra Shrivastar,
Ms. Debopriya Saha,
Ms. Sushmita Das

....for the respondent nos.8, 10, 13.

Mr. Shantanu Kumar Mitra,
Mr. Subhadip Biswas

....for the State.

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 private respondents.
3. Learned advocate representing the petitioner submits that the private respondents are unauthorizedly entering into the property in question and claiming right over the same.
4. Prayer is made in this writ petition directing the police authorities to restrain the private respondents from entering into the land in question without any order of civil court.
5. Mr. Mitra, learned advocate representing the State respondents has opposed this writ petition on the score that issue involved in this writ petition relates to civil in nature requiring the parties to approach the civil court.

6. On behalf of the private respondents submission of the petitioner is disputed and claim is laid over the land in question.
7. Having considered the respective submissions made on behalf of the parties, it appears that the issue involved in this writ petition is civil in nature and *inter se* right over the land in question is required to be adjudicated by the appropriate forum.
8. This Court is not an appropriate forum to decide the rights of the parties over the land in question.
9. Hence, Court is not inclined to interfere with the writ petition.
10. The writ petition stands disposed of.
11. However, this order shall not preclude the parties to approach the civil court 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.)