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21.04.2026
Ct. No. 05
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WPA 6814 of 2026

**Md. Mehebub Alam
Vs.
The State of West Bengal & Ors.**

Mr. Sunit Kumar Roy
Mr. Santanu Maji
Ms. Debrani Mondal
...for the petitioner
Mr. Santanu Kumar Mitra
Mr. Subhabrata Das
...for the State
Mr. Partha Pratim Roy
Mr. Samrat Chakraborty
Mr. Saikat Gayen
...for the respondent no. 6

1. Affidavit of service filed on behalf of the petitioner is taken on record.
2. Learned advocate representing the petitioner submits that petitioner along with members of his family have been ousted from his dwelling house prompting the petitioner to approach this Court with the present writ petition seeking direction upon the police authorities which would facilitate the petitioner to stay at the premises in question along with his family members.
3. Petitioner prays for direction upon the concerned police authority to take steps accordingly.

4. Learned advocate representing respondent no. 6 has opposed this writ petition and it is submitted that one Title Suit being no. 83/2024 is pending before the Civil Court which was instituted by the father of the petitioner and a case was made out that by preparing a false gift deed petitioner managed to stay at the premises in question.
5. Learned advocate representing the State respondents has filed a communication dated 24th March, 2026 of Officer-in-Charge, Lalgola Police Station, Murshidabad and same is taken on record. Copies of said communication are made over to the learned advocates representing the petitioner and respondent no. 6.
6. It is disclosed in the communication that on complaints of the petitioner and respondent no. 6 several criminal prosecutions were initiated by the concerned police authority. It is also submitted by the learned advocate representing the State respondents that there is a long pending dispute between the petitioner and respondent no. 6.
7. Though it is argued on behalf of the petitioner that in the pending Title Suit No. 83/2024 there is no injunction order passed by the Civil

Court but prayer of the petitioner to direct the police authority to take steps so that petitioner along with his family members can stay at the premises in question cannot be countenanced. Since police authority is not the appropriate authority to decide the *inter se* right over the premises in question, as suit is pending before the Civil Court and petitioner is one of the defendants in the said suit.

8. Liberty is granted to the petitioner to approach the Civil Court in pursuit of remedy.
9. However, concerned police authority is directed to maintain peace and tranquility at the locale.
10. Writ petition stands disposed of.
11. Urgent photostat certified copy of the order, if applied for, be given to the parties, upon usual undertakings.

(Saugata Bhattacharyya, J.)