

3.
(DL)

09.04.2026
Ct. No. 05
(ARPAN)

IN THE HIGH COURT AT CALCUTTA

CONSTITUTIONAL WRIT JURISDICTION
(Appellate Side)

W.P.A. 7012 OF 2026

ABHINANDAN PAL AND OTHERS

VS.

THE STATE OF WEST BENGAL AND OTHERS

.....

Mr. Sakabda Roy, Adv.
Mr. Arnab Dutt, Adv.
Mr. Saurath Nath Dutt, Adv.

...for the Petitioners

Mr. Malay Kumar Singh, Adv.
Ms. Neelam Singh, Adv.

...for the State

1. Affidavit-of-service filed on behalf of the petitioners is taken on record.
2. Learned advocate representing the petitioners submits that though petitioners are the owners of a particular plot of land but owners of adjoining land being private respondents are creating disturbance in peaceful possession of the said land of the petitioners prompting the petitioners to approach this Court with the present writ petition. It is also submitted that proceedings were initiated by the petitioners before the appropriate forum under Section 145 Cr.P.C. and certain orders were passed.
3. Prayer is made in this writ petition for giving direction upon the concerned police authorities which would facilitate the petitioners to enjoy possession of the land in question and cultivate the said land.

4. In spite of service of notice, private respondents are not represented today.
5. State respondents are represented by learned advocates.
6. Learned advocate representing the State respondents has filed a communication dated 30th March, 2026 of Officer-in-Charge, Junput Coastal Police Station, Purba Medinipur and same is taken on record. Copy of the said communication dated 30th March, 2026 is made over to the learned advocate representing the petitioners.
7. It is disclosed in the said communication dated 30th March, 2026 that based on complaints lodged by the petitioners two prosecutions, one being Junput Coastal P.S. non-cognizable report no.139 of 2025 dated 18th March, 2025 and another being Junput Coastal P.S. non-cognizable report no.511 of 2025 dated 13th October, 2025 were submitted.
8. It is also disclosed in the said communication dated 30th March, 2026 that parties were advised to approach the concerned Block Land & Land Reforms Officer for demarcation of the plot of land in question.
9. Having considered the respective submissions made on behalf of the petitioners and the State respondents and taking note of the contents of the communication dated 30th March, 2026, it is found that dispute is

concerning possession of the land in question. According to the petitioner, they have exclusive right over the said land in question.

10. Since proceeding was initiated under Section 145 Cr.P.C. before the appropriate forum, this Court is not passing any order which would influence such proceeding.
11. However, it is found that the issue in question is civil in nature requiring the parties to approach the Civil Court for adjudicating their *inter se* right. Police authority is not the appropriate authority to decide the right of the parties over the said land in question.
12. Hence, writ petition stands disposed of.
13. However, concerned police authority is directed to maintain peace and tranquility at the locale and keep vigil.
14. This order shall not preclude the petitioners to approach the appropriate forum in pursuit of remedy.
15. Urgent photostat certified copy of the order, if applied for, be given to the parties, upon usual undertakings.

(SAUGATA BHATTACHARYYA, J.)