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17.04.2026
Ct. No. 05
adeb

WPA 7205 of 2026

**Bijay Krishna Manna
Vs.
The State of West Bengal & Ors.**

Mr. Bhaskar Ch. Manna
Ms. Munmun Sitt
Ms. Moumita Biswas
...for the petitioner
Mr. Jayanta Samanta
Mr. Kaji Sajjad Alam
...for the State
Mr. Ziaul Haque
...for the respondent nos. 7 and 8
Mr. Amitava Karmakar
Mr. H.K. Mahata
...for the respondent nos. 9, 10 & 11

1. Affidavit of service filed on behalf of the petitioner is taken on record.
2. Learned advocate representing the petitioner submits that he is bargadar in respect of land in question but he is not being permitted to cultivate the land which prompted the petitioner to approach this Court with the present writ petition seeking direction upon the concerned police authority which would permit him to cultivate the land in question.
3. It is also submitted that asserting his right over the land in question title suit being No. 137/2025 was filed before the learned Civil Judge (Junior

Division), 1st Additional Court, Contai, Purba Medinipur and same is pending.

4. Private respondents and State respondents are represented by learned advocates.
5. It is submitted on behalf of private respondents that petitioner does not have right over the land in question as bargadar since he was never bargadar in connection with the said land. He used to cultivate the land on daily wage basis. It is also submitted that recently land in question was sold out to Ashok Kumar Maity and Subhash Ch. Maity being respondent nos. 7 and 8 and said land has been mutated in favour of those respondent nos. 7 and 8.
6. Learned advocate representing the State respondents has filed a communication dated 17th April, 2026 of Officer-in-Charge, Patashpur Police Station, Purba Medinipur and same is taken on record. Copy of said communication dated 17th April, 2026 are made over to the learned advocates representing petitioner and private respondents.
7. It is disclosed in the communication dated 17th April, 2026 that land in question was sold out to respondent nos. 7 and 8.
8. Having considered the respective submissions made on behalf of the parties it appears that issue involved in this writ petition is civil in nature

requiring the parties to this writ petition to approach the Civil Court. A title suit being No. 137/2025 is pending before the Civil Court.

9. Parties are at liberty to approach the Civil Court in pursuit of their remedies. Police authority is not the appropriate authority to decide the *inter se* right of the parties over the land in question.

10. Concerned police authority is directed to maintain peace and tranquility at the locale.

11. Writ petition stands disposed of.

12. Urgent photostat certified copy of the order, if applied for, be given to the parties, upon usual undertakings.

(Saugata Bhattacharyya, J.)