

DL 07.04.2026
32
susanta Ct.05

W.P.A. 7706 of 2026

Subhash Sadhukhan & Anr.

-vs-

The State of West Bengal & Ors.

Ms. Pampa Dey (Dhabal),
Ms. Sangita Banerjee,

....for the petitioners.

Mr. Sourav Mitra,
Mr. Sartak Singh,

....for the State.

Mr. Pradip Kumar Kundu,

....for the respondent nos.7-9.

1. Affidavit-of-service filed on behalf of the petitioners is taken on record.
2. Petitioners submit that private respondents intended to construct boundary wall on a common passage which was obstructed by the petitioners since erection of wall on the said common passage would impact ingress and egress of the petitioners. Complaint was lodged before the concerned police authorities for initiating proceeding.
3. Learned advocate representing the private respondents has disputed the submission made on behalf of the petitioners and it is submitted that common passage is owned by them which is being attempted to be used by the petitioners for ingress and egress.
4. Learned advocate representing the State respondents has filed a communication dated 6th

April, 2026 of Inspector-in-Charge, Pujali Police Station, Diamond Harbour Police District, same is taken on record. Copy of the said communication dated 6th April, 2026 is made over to the learned advocate for the petitioners and private respondents.

5. It is disclosed in the communication dated 6th April, 2026 that on receiving complaints both from the petitioners and the private respondents to maintain peace and tranquility prosecution being Pujali Police Station Non-cognizable Report no. 77/26 and 78/26 both dated 14th February, 2026 under Section 126/135(3) BNSS were submitted.
6. It appears from the submission made on behalf of the parties and taking note of the contents of the communication dated 6th April, 2026 that both petitioners and private respondents are claiming right over a common passage which needs to be used for ingress and egress of the respective parties.
7. Issue involved in this writ petition is civil in nature requiring the parties to approach civil court in pursuit of their remedy.
8. However, concerned police authorities are directed to maintain peace and tranquility at the locale and

keep vigil.

9. Writ petition stands disposed of.
10. Urgent photostat certified copy of this order, if applied for, be given to the learned Advocates for the parties on the usual undertakings.

(Saugata Bhattacharyya, J.)