

IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION
(Appellate Side)

W.P.A. 8122 OF 2026

DIPTI KARAR
VS.
THE STATE OF WEST BENGAL AND OTHERS

.....

Mr. Debabrata Sardar, Adv.
Mr. Sandipan Pal, Adv.
...for the Petitioner

Mr. Sambuddha Dutta, Adv.
Mr. Ritesh Kumar Ganguly, Adv.
...for the State

Mr. S. Bhattacharya, Adv.
Mr. Ziaul Haque, Adv.
Mr. Anirban Das, Adv.
Mr. Alope Bhattacharya, Adv.
...for the Respondent No.5

Mr. Prasayan Mukherjee, Adv.
Mr. Ramsha Shamim, Adv.
...for the Respondent Nos.6-9

1. Affidavit-of-service filed on behalf of the petitioner is taken on record.
2. Learned advocate representing the petitioner submits that petitioner is the owner of the land in question but petitioner’s possession over the said land is being disturbed by the private respondents which prompted the petitioner to approach this Court with the present writ petition seeking direction upon the concerned police authorities which would facilitate the petitioner to enjoy peaceful possession over the land in question. Reliance is placed on the ad interim order dated 30th June, 2025 passed by the learned Civil Judge (Junior Division), 1st Court, Uluberia, Howrah in Title Suit No.3 of 2023 instituted by the petitioner.

3. It is submitted on behalf of the petitioner that in terms of ad interim order of injunction dated 30th June, 2025, police authorities are required to take steps which would prevent the private respondents from disturbing the peaceful possession of the petitioner over the land in question.
4. Private respondents are represented by learned advocates who have disputed the submission made on behalf of the petitioner relating to petitioner's right over the land in question. It is also submitted that due to pendency of suit before the Civil Court, parties are required to approach the Civil Court in pursuit of remedy.
5. Same submission is echoed by the learned advocate representing the State respondents.
6. Having considered the submissions made on behalf of the parties, Court finds that the issue involved in this writ petition is civil in nature requiring the petitioner to approach the Civil Court.
7. Hence, this Court is not inclined to interfere with this writ petition due to pendency of proceeding before the Civil Court.
8. Writ petition stands dismissed.
9. However, this order shall not preclude the petitioner to take steps, in accordance with law.

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

(SAUGATA BHATTACHARYYA, J.)