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rkd 20.04.2026
Ct.05

W.P.A. 8101 of 2026

Bapi Mandal

-vs-

State of West Bengal & Ors.

Mr. Radhasyam Maiti,
Mr. Manoranjan Jana

....for the petitioner.

Mr. Kingsuk Mondal,
Mr. Suman das

....for the respondent nos. 7 & 8.

Mr. Tanmay Kumar Ghosh,
Mr. Benazir Ahmed

....for the State.

1. Affidavit-of-service filed on behalf of the petitioner is taken on record.
2. It is contended on behalf of the petitioner that an ex parte ad interim order of injunction was passed by the civil court on 23rd December, 2024 restraining the private respondents being defendants in the suit from disturbing petitioner's peaceful possession over the scheduled suit property and defendants were further restrained from changing the nature and character of the scheduled property till 13th February, 2025.
3. It is submitted that in spite of lodging complaint before the concerned police authorities steps are not taken which could facilitate the petitioner to enjoy peaceful possession of the property in question.
4. The learned advocate representing the private respondents disputed the submission made on

behalf of the petitioner relating to right of the petitioner over the property in question. It is submitted that suit is being contested by taking necessary steps.

5. Learned advocate representing the State respondents submits that the issue involved in this writ petition relates to civil in nature requiring the petitioner to approach appropriate forum.
6. Having considered the submissions made on behalf of the parties, it appears that petitioner is praying for direction to implemen^t ex parte ad interim order of injunction dated 23rd December, 2024 passed in connection with Title Suit No.316 of 2024.
7. In view of availability of alternative remedy for implementation of ex parte ad interim order of injunction dated 23rd December, 2024 passed by the civil court in terms of the relevant provisions of Civil Procedure Code, this Court is not inclined to interfere with this petition and same stands dismissed.
8. However, this order shall not preclude the petitioner to approach the civil court in pursuit of remedy.
9. Urgent photostat certified copy of the order, if applied for, be given to the parties, upon usual undertakings.

(Saugata Bhattacharyya, J.)

