

12
rkd 21.04.2026
Ct.05

W.P.A. 8105 of 2026

Manotosh Sarkar & Ors.

-vs-

The State of West Bengal & Ors.

Mr. Amarendra Chakraborty

....for the petitioners.

Md. Mokaram Hossain,
Mr. Karnab Biswas

....for the Private respondents.

Mr. Vimal Kumar Shahi,
Mr. Anubrata Santra

....for the State.

1. Affidavit-of-service filed on behalf of the petitioners is taken on record.
2. Learned advocate representing the petitioners expresses concern that petitioners may be evicted from the land in question at the instance of private respondents which prompted the petitioners to approach the concerned police authorities which would restrain the private respondents from disturbing the petitioners in enjoying peaceful possession over the land in question.
3. A complaint was lodged before the concerned police authorities on 25th March, 2026 seeking steps to be taken by the said authority.
4. Private respondents are represented by learned advocate who has disputed the case made out in this writ petition and it is submitted that land in question does not belong to the petitioners.
5. Learned advocate representing the State respondents has filed a communication dated 19th

April, 2026 of Inspector-in-Charge, Gazole Police Station, Malda and same is taken on record. Copies of the communication dated 19th April, 2026 are made over to the learned advocates representing the petitioners and private respondents.

6. It is disclosed in the communication dated 19th April, 2026 that on receipt of complaint from the petitioners one prosecution being Gazole PS Non-FIR PR No.496/26 dated 16th April, 2026 under Section 126 of BNS was submitted to maintain peace at the locale.
7. Since from the submissions made on behalf of the parties, it appears that both the petitioners and private respondents are claiming right over the land in question, parties shall be at liberty to approach the appropriate forum in pursuit of their remedy.
8. However, concerned police authorities are directed to maintain peace and tranquility at the area and keep vigil.
9. The writ petition stands disposed of.
10. Urgent photostat certified copy of the order, if applied for, be given to the parties, upon usual undertakings.

(Saugata Bhattacharyya, J.)