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rkd 09.04.2026
Ct.05

W.P.A. 8340 of 2026

Sri Dhananjay Yadav & Ors.

-vs-

The State of West Bengal & Ors.

Mr. Animesh Paul

....for the petitioners.

Mr. Biplab Guha,
Mr. Sudip Kumar Maiti

....for the State.

Mr. Tanmoy MUKherjee,
Mr. Souvik Das,
Mr. Rudranil Das

....for the respondent no.4.

Mr. Sounak Bhattacharya,
Mr. Sounak Mondal,
Ms. Bipasha Bhattacharyya

....for the respondent no.5.

Mr. Ayan Mitra,
Mr. Sastak Singh

....for the respondent no.6.

1. Affidavit-of-service filed on behalf of the petitioners is taken on record.
2. Matter is heard in presence of the learned advocates representing the petitioners, State respondents and respondent nos.4 to 6.
3. Learned advocate representing the petitioners submits that in spite of an ad interim order of injunction dated 23rd February, 2026 passed in Title Suit No.235 of 2026 private respondents are disobeying said ad interim order which prompted the petitioners to approach this Court with the present writ petition seeking direction upon the police authorities that would ensure that petitioners shall have peaceful possession over the

property in question.

4. Learned advocate representing the State respondents and respondent nos.4 to 6 dispute the submission made on behalf of the petitioners and it is submitted that alleging violation of ad interim order of injunction dated 23rd February, 2026 an application was taken out by the petitioners under Section 151 of the Code of Civil Procedure and such application to be moved before the civil court.
5. In view of the aforesaid scenario, it appears that the issue involved in this writ petition is civil in nature requiring petitioners to approach civil court in pursuit of remedy.
6. Moreover, having seen the nature of ad interim order passed on 23rd February, 2026 it does not appear that at the interim stage right of the petitioners is decided.
7. In above conspectus, this Court is not inclined to interfere with the writ petition and same stands disposed of.
8. Concerned police authorities are directed to maintain peace and tranquility at the locale and keep vigil.
9. However, this order shall not preclude the petitioners to take steps in accordance with law.
10. Communication dated 9th April, 2026 of Inspector-in-Charge, Malipanchghora Police Station, Howrah is filed today and same is taken on record.

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

(Saugata Bhattacharyya, J.)