

W.P.A. 8998 of 2026

Ashok Kumar Das

-vs-

The State of West Bengal & Ors.

Mr. Rabindra Narayan,
Mr. Koushik Dutta Bhattacharyya,
Mr. Hare Krishna Halder,
Mr. Ardhendu Nag

....for the petitioner.

Mr. Palash Chandra Majhi

....for the respondent nos.4 to 6.

Mr. Suman Ghosh,
Mr. Pradipta Siddharta

....for the State.

1. Affidavit-of-service filed on behalf of the petitioner is taken on record.
2. Learned advocate representing the petitioner submits that petitioner has right over the land in question and peaceful possession of the said land is being hindered at the instance of the private respondents.
3. Petitioner prays for direction upon the concerned police authorities which would ensure peaceful possession of the petitioner over the land in question.
4. Learned advocates representing the State respondents and private respondents have jointly opposed this writ petition.
5. Learned advocate representing the private respondents has disputed the submission made on

behalf of the petitioner relating to petitioner's right over the land in question. It is submitted that land of the petitioner could not be identified as a result whereof effort is made to encroach the land of the private respondents.

6. Learned advocate representing the State respondents has filed a communication dated 20th April, 2026 of Inspector-in-Charge, Eco Park Police Station, Bidhannagar Police Commissionerate and same is taken on record. Copies of the communication dated 20th April, 2026 are made over to the learned advocates representing the petitioner and private respondents.
7. Having heard the learned advocates representing the parties and taking note of the contents of the communication dated 20th April, 2026, it appears that dispute relates to land and claim is laid by the petitioner and private respondents over the land in question and as such issue needs to be decided by the appropriate forum.
8. Police authority is not the appropriate authority to decide *inter se* right of the parties over the land in question.
9. However, it appears from the communication dated 20th April, 2026 that based on the complaint lodged by the petitioner a proceeding being Non-Cognizable Report No.208 dated 28th March, 2026 under Section 126 of BNSS 2023 was initiated in

order to maintain peace and tranquility.

10. Concerned police authorities are directed to maintain peace and tranquility at the locale and keep vigil in order to avoid future untoward incident.
11. Writ petition stands disposed of.
12. However, this order shall not preclude the petitioner to approach civil court in pursuit of remedy.
13. Urgent photostat certified copy of the order, if applied for, be given to the parties, upon usual undertakings.

(Saugata Bhattacharyya, J.)