

In The High Court at Calcutta

CONSTITUTIONAL WRIT JURISDICTION

(Appellate Side)

W.P.A. 9310 OF 2026

ASHISMOY MUKHERJEE  
VS.  
THE STATE OF WEST BENGAL AND OTHERS

.....

Mr. Tamal Singha Roy, Adv.  
  
Ms. Suchitra Sinha Chatterjee, Adv.  
  
Mr. Biswajit Hazra, Adv.  
Mr. Archisman Sain, Adv.  
Mr. Syed Masud Kabir, Adv.

...for the Petitioner  
  
  
  
  
...for the State  
  
  
...for the Respondent Nos.4-10

1. Affidavit-of-service filed on behalf of the petitioner is taken on record.
2. Matter is heard in presence of the learned advocates representing the petitioner, State respondents and respondent nos.4 to 10.
3. Learned advocate representing the petitioner submits that petitioner has lodged a complaint before the concerned police authority on 13<sup>th</sup> March, 2026 alleging obstruction made by the private respondents in enjoying peaceful possession of the land in question by the petitioner.
4. Prayer is made in this writ petition for direction upon the concerned police authority to protect the right of the petitioner over the land in question for peaceful enjoyment of the said land thereof.
5. Learned advocate representing the private respondents has opposed this writ petition and disputed the submission made on behalf of the petitioner that private respondents are obstructing petitioner's peaceful enjoyment of possession over the land in question.
6. State respondents are represented by learned advocate who has filed a communication dated 9<sup>th</sup> June, 2026 of

Inspector-in-Charge, Monteswar Police Station, Purba Bardhaman and same is taken on record. Copies of the said communication dated 9<sup>th</sup> June, 2026 are made over to the learned advocates representing the petitioner and the private respondents.

7. Having considered the submissions made on behalf of the parties and taking note of the contents of the communication dated 9<sup>th</sup> June, 2026, it appears that the issue involved in this writ petition relates to civil dispute concerning land. Both the petitioner and private respondents are claiming their right over the land in question.
8. Police authority is not the appropriate authority to decide *inter se* right of the parties over the land in question. Petitioner is required to approach the Civil Court.
9. However, concerned police authorities are directed to maintain peace and tranquility at the locale and to see that no untoward incident takes place.
10. Writ petition stands disposed of.
11. Urgent photostat certified copy of the order, if applied for, be given to the parties, upon usual undertakings.

**(SAUGATA BHATTACHARYYA, J.)**