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rkd 17.06.2026
Ct.05

W.P.A. 11330 of 2026

Subhendu Pal

-vs-

The State of West Bengal & Ors.

Mr. Manas Kumar Das,
Mr. Prabal Das

....for the petitioner.

Mr. Partha Pratim Roy,
Mr. Samrat Chakraborty,
Mr. Saikat Gayen

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

Mr. Suryaneel Das,
Ms. Anita Kundu,
Ms. Sumita Sarkar

....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 an order dated 12th November, 2025 was passed in Partition Suit No.397 of 2025 whereby prayer for temporary injunction of the plaintiff was not allowed by the civil court.
3. It is submitted that in spite of rejection of injunction petition respondent nos.7 & 8 are disturbing peaceful possession of the petitioner over the land in question prompting the petitioner to approach this Court with the present writ petition seeking direction upon the concerned police authorities which would facilitate the petitioner to cultivate the land in question.
4. State respondents and respondent nos.7 & 8 are represented by learned advocates.

5. It is submitted on behalf of the respondents that the issue involved in this writ petition is civil in nature. Therefore, petitioner is required to approach the civil court.
6. Having considered the submissions made on behalf of the parties, it appears that vide order dated 12th November, 2025 contention of the respondent nos.7 & 8 being plaintiffs in Partition Suit No.397 of 2025 was negated.
7. It is submitted on behalf of the petitioner that in spite of refusal by the civil court in passing injunction in favour of the respondent nos.7 & 8 being the plaintiffs in the partition suit, peaceful possession of the land in question by the petitioner is being disturbed at the instance of respondent nos.7 & 8.
8. Therefore, it is found that the issue is civil in nature requiring the petitioner to approach the civil court since police authority is not the appropriate authority to decide *inter se* rights of the parties over the land in question.
9. Concerned police authorities are directed to maintain peace and tranquility at the locale and keep vigil.
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.)