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(DL)

23.06.2026

Court No. 05
(Suvendu Mukherjee)

IN THE HIGH COURT AT CALCUTTA

CONSTITUTIONAL WRIT JURISDICTION
(APPELLATE SIDE)

WPA 13110 of 2026

Minati Bera & Ors.

-Versus -

The State of West Bengal & Ors.

Mr. Mrinal Kanti Ghosh
Mr. Kartik Chandra Kapas

....for the petitioners

Mr. Suryaneel Das, Id. AGP
Mr. Partha Chakraborty
Mr. Bhaskar Bhattacharyya

...for the State respondents

Mr. Sujit Bhunia
Mr. Bhaskar Hutait

....for the respondent nos. 10-13

1. Matter is heard in presence of learned advocates representing the petitioners, State respondents and respondent nos. 10 to 13.

2. Two prayers are couched in this writ petition, one is for directing the concerned police authorities to take steps in connection with Daspur Police Station Case No. 174/2026 dated 16th April, 2026 and another for passing direction upon the concerned police authorities which would facilitate the petitioners to use the land in question.

3. Learned advocate appearing on behalf of respondent nos. 10 to 13 disputes submission made on behalf of the petitioners and it is contended that respondent nos. 10 to 13 did not obstruct the petitioners in utilizing the land in question. According to respondent nos. 10 to 13, it was the action of the Panchayat authority in constructing a metal road which prompted the petitioners to approach a coordinate Bench by filing a writ petition being WPA 29037 of 2025. Said writ petition was disposed of by negating contention made on behalf of the petitioners therein.

4. State respondents are represented by learned Additional Government Pleader who has filed a communication dated 23rd June, 2026 of Officer-in-Charge, Daspur Police Station, Paschim Medinipur and same is taken on record.

5. Regarding utilization of land by the local Panchayat authorities in constructing metal road as alleged, it was decided by the coordinate Bench in the order dated 20th March, 2026 that the issue relates to civil in nature requiring the affected parties to approach appropriate forum. Petitioners ought not to have filed the present writ petition seeking issuance of mandamus upon the concerned police authorities which would facilitate the petitioners to use the land in question.

6. However, concerned police authorities are directed to expedite investigation of criminal prosecution being

Daspur Police Station Case No. 174/2026 dated 16th April, 2026 and take the same to its logical conclusion by submitting report before the jurisdictional Magistrate.

7. Writ petition stands disposed of.

8. Urgent photostat certified copy of this order, if applied for, be given to the parties on usual undertaking.

(Saugata Bhattacharyya, J.)