

24.06.2026
Ct. No.5
Sl. No.51
akd

W. P. A. 13494 of 2026

[Amiruddin Mondal & Ors. -Vs- The State of West Bengal & Ors.]

Mr. Golam Mustafa
Mr. Aktaruzzaman
Mr. Tarasankar Samanta
... ... for the petitioners

Mr. Prosenjit Mukherjee
Mr. Aslam Parvez
... ... for respondent no. 5

Mr. Partha Chakraborty
... ... for the State

1. Affidavit-of-service filed on behalf of the petitioners is taken on record.
2. Learned Advocate representing the petitioners submits that respondent no. 5 is disturbing the petitioners in cultivating the land which prompts the petitioners to approach this court with the present writ petition seeking direction upon the concerned police authorities which would facilitate the petitioners to cultivate the land in question. Prayer is also made on behalf of the petitioners to provide police protection in order to ensure petitioners' right of cultivation.
3. Learned Advocate representing the respondent no. 5 has opposed this writ petition based on an order dated 23.11.2022 passed by a Coordinate Bench on a writ petition being WPA 7815 of 2020 preferred by petitioner no. 1.
4. State-respondents are represented by Mr. Partha Chakraborty, learned Advocate.
5. On perusal of order dated 23.11.2022 it appears that it has already been decided by the Coordinate Bench while disposing of the aforesaid writ petition that civil rights of the

parties need to be agitated before the civil forum. Considering the liberty granted by the Coordinate Bench vide order dated 23.11.2022, petitioners ought to have approached the civil court in order to preserve their right to cultivate the land in question.

6. Police authority is not the appropriate authority to decide *inter se* right of the parties over the agricultural land in question.

7. Hence, no relief can be granted to the petitioners and the writ petition stands dismissed.

8. There shall be no order as to costs.

9. Let urgent Photostat certified copy of this order, if applied for, be given to the learned Advocates for the parties on usual undertaking.

(Saugata Bhattacharyya, J.)