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(DL)

29.06.2026
Court No. 05
(Suvendu Mukherjee)

IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION
(APPELLATE SIDE)

WPA 13716 of 2026

Lakshan Charan De
-Versus -

State of West Bengal & Ors.

Mr. Subhasish Pachhal
Mr. Siraj Gooptu
Mr. Subhajay Sen
Mr. Abhirup Das

....for the petitioner

Mr. Suryaneel Das, Ld. AGP
Mr. Partha Chakraborty
Ms. Sumita Sarkar

...for the State respondents

Mr. Tonmoy Chatterjee

....for the respondent nos. 6 & 7

1. Affidavit of service filed on behalf of the petitioner is taken on record.
2. Learned advocate representing the petitioner submits that an order was passed on 8th October, 2024 by the civil court in Title Suit No. 361 of 2024 thereby directing the parties to maintain *status quo* in respect of the suit property. On the strength of such *ad interim* order of injunction dated 8th October, 2024, prayer is made in this writ petition for issuance of mandamus directing concerned police authorities to protect petitioner's right over the suit property.
3. Respondent nos. 6 and 7 and State respondents are represented by learned advocates.

4. It is submitted on behalf of respondent nos. 6 and 7 that they are defendants in suit and suit is still pending.

5. Order dated 8th October, 2024 of the civil court is an *ex parte ad interim* order for a limited period directing the parties to maintain *status quo* with regard to nature, character and possession of suit property.

6. If this court proceeds on the premise that said *ad interim* order of injunction still subsists, in that event too it cannot be inferred that right of the parties over the suit property is not even at the interim stage finally crystallized requiring direction upon the concerned police authorities to protect such right.

7. In this regard, reliance is placed on the judgment of a coordinate Bench reported in **2016 SCC OnLine Cal 2683 (Sri Soumitra Bandopadhyaya & Anr. Vs. State of West Bengal & Ors.)**.

8. Hence, no relief can be granted to the petitioner.

9. Writ petition stands dismissed.

10. However, petitioner shall be at liberty to approach civil court in pursuit of remedy.

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

(Saugata Bhattacharyya, J.)