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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 13710 of 2026

Jamir Ali Molla

-Versus -

The State of West Bengal & Ors.

Md. Zeeshanuz Zaman

....for the petitioner

Mr. Suryaneel Das, Ld. AGP

Ms. Anita Kundu

Ms. Sumita Sarkar

...for the State respondents

Mr. Sk. Md. Wasim Akram

Md. Nur Hossain Zamada

....for the respondent nos. 5-7

1. Affidavit of service filed on behalf of the petitioner is taken on record.
2. Learned advocate representing the petitioner submits that though there was an order of civil court dated 21st March, 2018 passed in Title Suit No. 16/2018 on an application under Section 151 of the Code of Civil Procedure but concerned police authority has not taken steps. It is submitted that private respondents are creating disturbance by raising construction which prompted the petitioner to approach this Court with the present writ petition seeking direction upon the concerned police authority to ensure right of the petitioner over the suit property.

3. Learned advocate representing private respondents has opposed the submission made on behalf of the petitioner and it is submitted that suit instituted by the petitioner is still pending and private respondents have not threatened the petitioner as alleged.
4. State respondents are represented by learned Additional Government Pleader.
5. Having considered the submissions made on behalf of the parties, it appears that aforesaid suit instituted by the petitioner is still pending for final adjudication.
6. *Inter se* rights of the parties over the suit property ought not to be decided by the concerned police authority and petitioner shall be at liberty to approach the civil court in pursuit of remedy.
7. However, concerned police authority is directed to maintain peace and tranquility at the locale and see that no untoward incident takes place.
8. Writ petition stands disposed of.
9. Urgent photostat certified copy of this order, if applied for, be given to the parties on usual undertaking.

(Saugata Bhattacharyya, J.)