

IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION
APPELLATE SIDE

WPA 13823 of 2026

Abdul Mehraj Mallik
-versus
The State of West Bengal & Ors.

Mr. Samirul Sardar
Mr. Sumanto Chakraborty
Ms. Anam Torab
... For the petitioner

Mr. Suryaneel Das, Id. AGP
Ms. Sumita Sarkar
... For the State

Mr. Kaushik Chandra Gupta
... For the respondent nos.5 to 8

1. Affidavit of service filed on behalf of the petitioner is taken on record.

2. From the submissions made on behalf of petitioner, it appears that there is a dispute concerning pond in question. It is submitted by learned advocate representing petitioner that private respondents are disturbing peaceful possession of the petitioner over the pond in question.

3. However, such contention made on behalf of petitioner is disputed by learned advocate representing private respondent nos.5 to 8. It is submitted on behalf of respondent nos.5 to 8 that the pond is owned jointly by petitioner as well as private respondents.

4. State respondents are represented by Mr. Das, learned Additional Government Pleader who submits that the issue involved in this writ petition pertains to civil in nature.

5. Having considered respective submissions made on behalf of the parties, it appears that petitioner is required to approach the civil Court if it is found by the petitioner that his right over the pond in question is denied by private respondents. Police authorities are not the appropriate authority to decide *inter se* right of the parties over the pond in question.

6. However, concerned police authorities are directed to maintain peace and tranquility at the locale and to see no untoward incident takes place.

7. Writ petition stands disposed of.

8. Urgent photostat certified copy of this order, if applied for, be given to the parties, upon compliance of necessary formalities.

(Saugata Bhattacharyya, J.)