

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

**WPA 16209 of 2025**

**Arabinda Maity & Anr.**  
**-Versus -**  
**The State of West Bengal & Ors.**

Mr. Amit Baran Dash  
Ms. Ankana Sarkar  
.....for the petitioners

Mr. Jayanta Samanta  
Md. Hasanuz Zuman  
.....for the State respondents

1. Affidavit of service filed on behalf of the petitioners is taken on record.
2. Learned advocate representing the petitioners submits that in spite of obtaining *ad interim* order dated 19<sup>th</sup> May, 2025 in connection with Title Suit No. 254 of 2025 passed by the Civil Judge (Senior Division), 1<sup>st</sup> Court, Contai private respondent demolished the construction at the property in question requiring police authority to take steps in order to protect the interest of the petitioners in consideration of said *ad interim* order dated 19<sup>th</sup> May, 2025.
3. State respondents are represented by learned advocate who submits that since Title Suit is

pending petitioners need to approach the civil court and issue involved in this writ petition is civil in nature.

4. Having considered the respective submissions made on behalf of the parties, it is found that a Suit is pending before the Civil Court and *ad interim* order was passed by the Civil Judge (Senior Division), 1<sup>st</sup> Court, Contai on 19<sup>th</sup> May, 2025 directing the parties to the Suit to maintain *status quo* in respect of nature, character and possession of the scheduled property. If said order is not adhered to, petitioners are required to approach the civil court in accordance with law.
5. Writ petition for implementation of the order of the civil court dated 19<sup>th</sup> May, 2025 is not maintainable.
6. Writ petition stands dismissed.
7. However, this order shall not preclude the petitioners to take steps in accordance with law.
8. Urgent photostat certified copy of this order, if applied for, be given to the parties on usual undertaking.

**(Saugata Bhattacharyya, J.)**