

24.03.2026
M/L 191
Ct No. 5
SG

WPA 24229 of 2025

**Sk. Nuser Ali
Vs
State of West Bengal & Ors.**

Mr. Satrajit Sinha Roy,
Mr. F. Rahaman,
Mr. S. Akhter.

...for the petitioner

Mr. Swapan Kumar Datta,
Mr. Vivekanda Bose,
Mr. Shibasish Banerjee.

...for the State

Ms. Juin Dutta Chakraborty,
Mr. Bidan Modak.

...for respondent nos. 11, 13 & 15

1. The matter is heard in presence of the learned advocates representing the petitioner, State respondents and respondent nos. 11, 13 and 15.
2. Learned advocate representing the petitioner submits that obstruction needs to be removed from the pathway between Mouza Sultanpur and Mouza Uddhabpur, Howrah with the assistance of the police authorities.
3. From the submissions made on behalf of the petitioner and the private respondents it appears both are laying claim on the pathway in question.
4. A communication dated 23.03.2026 of Officer-in-Charge, Shyampur Police Station, Howrah is placed before this Court and the same is taken on record.

5. It is disclosed in the said communication dated 23.03.2026 that there is a long standing dispute exists between the petitioner and the private respondents centering around the said pathway.

6. If petitioner has exclusive right over the said pathway it needs to be asserted before the civil court having jurisdiction. Police authority is not the appropriate authority to decide as to whether the petitioner or the private respondents have right over the pathway.

7. Hence, this Court is not inclined to interfere with this writ petition. Accordingly, the writ petition stands dismissed.

8. However, concerned police authorities are directed to maintain peace and tranquility at the locale and keep vigil.

9. Urgent photostat certified copies of this order, if applied for, be made available to the parties upon compliance with the requisite formalities.

(Saugata Bhattacharyya, J.)