WBCHCA0515302026

Item No.12
Ct. No.1
KS

IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION
APPELLATE SIDE

W.P.A. (P) 479 of 2026

Soma Maiti & Ors.
Versus
The State of West Bengal & Ors.

Appearance:
Mr. Dinesh Pani
…..Advocate for Petitioners

Mr. D. N. Ray, Ld. G.P.
Mr. Ajit Kr. Mishra, Ld. A.G.P.
Mr. Raj Mohan Chattoraj
Mr. Indradeep Pal
Ms. Ankana Sarkar
…..Advocates for State

Mr. Sachit Talukdar
Mr. Soumyadip Maity
…..Advocates for Private Respondent Nos.9 to 11

CORAM: RAVINDRA VITHALRAO GHUGE,
CHIEF JUSTICE
&
OM NARAYAN RAI, J.
Date: 08.10.2026

Order (Per Court)

1. During the course of considering the submissions of the learned advocate for the Petitioners, Shri Dinesh Pani, it was brought to our notice that he has filed around nine (9) PILs.

2. Before us, today, he canvasses that he is espousing the cause of ardent football fans and players. Some of the Petitioners are ladies, who are more than 45 years of age. Some are gentlemen, who are 58 years and 60 years of age. In Paragraph 3, it is stated that the Petitioners are sports lovers belonging to an association named as Chandipur Chiropathik Organization, which engages in promotion, development and training of local boys and girls for different types of games like Football, Volleyball, Badminton. They claims that the Writ land is owned by them, having purchased from several predecessors in title, identified as Plot No.464, 467, 469 and 472, Khatian No.2547, J.L. No.097 at Mouza – Brindabanpur. Their ingress and egress to the ground is blocked by the Private Respondents.

3. A ready Reference Chart of the nine (9) PILs filed by the Petitioners, is placed before us, which is marked as **'X'** for identification. The said Chart indicates that most of the PILs have been filed with a

prayer that the representation of the Petitioners be decided by particular authority. A PIL ought not to be filed or entertained for seeking a direction to decide a representation allegedly pending with a statutory authority. A Writ Petition invoking the Writ of Mandamus is to be filed. One PIL is filed seeking setting aside of a memo of engagement of a Pump Operator and to allow workers engaged by private agencies to continue to work. Learned advocate for the Petitioners submits that this is a wrong submission.

4. In the Petition before us, the Petitioners have a personal cause of action. Private Respondents have constructed a wall on the land belonging to the Petitioners. This would be a matter of adjudication by a Civil Court, since this is a civil dispute.

5. Therefore, **this PIL is dismissed**.

6. Even after dictation of this order, learned advocate for the Petitioners continued to argue claiming that the Panchayat be directed to remove the wall. We are refraining from imposing cost.

7. Nevertheless, the Petitioners have a remedy in civil law. They are at liberty to avail of a remedy, as may be statutorily provided. All contentions are kept open.

(OM NARAYAN RAI, J.) **(RAVINDRA V. GHUGE)**
Chief Justice