**33. 25.11.2026**
**(D/L) CT. NO. 05**
(ARPAN-A.R.CT.)

# In The High Court at Calcutta

CONSTITUTIONAL WRIT JURISDICTION
(Appellate Side)

## W.P.A. 29768 OF 2026

**KALACHAND SEKH**
**VS.**
**THE STATE OF WEST BENGAL AND OTHERS**

.....

Mrs. Karabi Roy, Adv

*... For Petitioner*

Mr. Dibasish Basu, AGP
Ms. Sneha Dutta, Adv.
Mr. Purnendu Das, Adv.

*... For State*

Mr. Omar Faruk Gazi, Adv.
Mr. Md. Muslehuddin, Adv.

*... For Respondent No.8*

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

2. By presenting this writ petition a mandamus is sought for thereby directing the concerned police authority to take steps which would permit petitioner to cultivate the land in question.

3. It is also submitted on behalf of petitioner that two title suits are pending; one at the instance of petitioner being Title Suit No.64 of 2022 and another at the instance of private respondents being Title Suit No.48 of 2022. In both the suits learned Civil Judge (Senior Division), Ranaghat, Nadia directed the parties to maintain *status quo* with regard to nature, character and possession of the suit property *vide* orders dated 16th December, 2022 and 26th September, 2023 respectively.

4. It is further contended on behalf of petitioner that in terms of order passed on 16th December, 2022 in Title Suit No.64 of 2022 petitioner may be permitted to cultivate the land in question.

5. State respondents and respondent no.8 are represented by learned advocates, who have opposed this writ petition and it is submitted that if ad interim order of injunction passed on 16th December, 2022 in Title Suit No.64 of 2022 is not complied with, in that event, petitioner needs to approach Civil Court.

6. This Court finds substance in the contention made on behalf of respondents taking note of the orders passed by the Civil Court on 16th December, 2022 and 26th September, 2023 thereby directing parties to maintain *status quo* with regard to nature, character and possession of the suit property.

7. If petitioner finds that order of Civil Court dated 16th December, 2022 is not being complied with, in that event, petitioner needs to approach Civil Court within the statutory framework. Police authority is not the appropriate authority to decide *inter se* right of the parties over the agricultural land in question in view of *status quo* orders passed by the Civil Court.

8. Writ petition stands disposed of.

9. Parties to act on the server copy of this order duly downloaded from the official website of this court.

**(SAUGATA BHATTACHARYYA, J.)**