04.11.2026
Ct. No. 3
Sl. No. 01
Subadip
Vacation Bench

WPA 31648 of 2026

Chinmoy Mondal
VS
State of West Bengal & Ors.

Mr. Kallol Basu,
Mr. Kaustav Banerjee,
Ms. Ria Kundu.
…for the petitioner

Mr. Rishov Das
…for the private respondents

Ms. Debapriya Gupta, Ld. A.G.P.
Mr. Madhu Jana, Ld. J.G.A.
Mr. Nripendra Pratap Singh,
Ms. Puja Sonkar.
…for the State

1. The petitioner is aggrieved by the inaction on the part of the respondent nos. 3 and 4 in not considering his representation dated 31st October, 2026.

2. The case of the petitioner is that a Title Suit being T.S. No. 132 of 2017 and a connected injunction application were filed by him against the Assistant Engineer, PWD before the learned Civil Judge (Junior Division), 2nd Court at Kandi, Murshidabad. The learned Civil Judge refused to pass any injunction order in favour of the petitioner. The petitioner, being aggrieved, preferred an appeal along with a connected injunction application before the learned Civil Judge (Senior Division), Kandi, Murshidabad. The said appeal and application were

dismissed by the learned Civil Judge (Senior Division), Kandi on 11.07.2023.

3. The petitioner, challenging the aforesaid order, filed a revisional application being C.O. 2328 of 2023 before this Court.

4. Mr. Kallol Basu, learned senior advocate appearing for the petitioner referred to an order dated 28th July, 2023 passed in C.O. 2328 of 2023 whereby a Coordinate Bench of this Court passed an order of status quo with regard to the nature and character of the 'Kha' schedule property as described at page no. 24 of the said revisional application till 30th November, 2023. According to Mr. Basu, the said interim order was extended from time to time. Mr. Basu further submits that the private respondents tried to set up a temporary structure therein for the purpose of holding 'Kali puja' in violation of the order of status quo.

5. Being aggrieved, the petitioner made a representation dated 31st October, 2026, which has not been considered by the respondent nos. 2 and 3 till date.

6. The learned counsel appearing for the private respondents is present. He submits that he is not a party to the said Title Suit. Therefore, the status quo order passed by this Court is not binding on the private respondents.

7. The State is represented.

8. Having considered the materials on record and the rival submissions made by the respective counsel appearing for the parties, I direct the respondent no. 3 to consider the representation of the petitioner within three weeks from the date of communication of this order. The respondent no. 3 shall afford an opportunity of hearing to the petitioner as well as the private respondents and shall pass a reasoned order within one week from the date of such hearing.

9. The writ petition being **WPA 31648 of 2026** stands **disposed of**.

(Arjun Ray Mukherjee, J.)