

Item No.5
13.02.2026
Court. No. 6
GB

*CALCUTTA HIGH COURT
IN THE CIRCUIT BENCH AT JALPAIGURI
APPELLATE SIDE*

WPA 144 of 2026

Lokman Ali
VS

The State of West Bengal & Ors.

*Mr. Mayank Bhandari,
Mr. Ved Rai,
Mr. Subrata Sarkar*

...for the Petitioner.

*Mr. Subir Kumar Saha, Ld. AGP.,
Mr . Sumit Kumar*

...for the State.

*Mr. Bikash Singha,
Mr. Sukanta Sarkar*

...for the Respondent Nos.4 to 13.

*Mrs. Aayushi Agarwal,
Mr. Nigam Mittal*

...for the Respondent Nos.17 to 20.

1. The petitioner is one of the defendants in Title (Partition) Suit NO.241 of 2025, which is pending before the learned Civil Judge (Senior Division), Jalpaiguri.
2. The petitioner is aggrieved by the inaction on the part of the police authorities in stopping the construction that was being carried out in violation of the order of status quo. A representation was made to the Commissioner of Police as also to the Officer-in-Charge of the concerned police station.
3. The petitioner alleges that some of the defendants and the plaintiffs violated the order of status quo and started construction. The petitioner

approached the police authorities for implementation of the order of status quo.

4. I find that the order of status quo was passed ex parte by the learned court and the plaintiffs and the defendants were directed to maintain status quo in respect of the nature, character and possession of the suit land.
5. The petitioner is the defendant no.10. He had filed a caveat against the plaintiffs and the defendant nos.1,2 and 4 to 8. Although, a notice was served upon the petitioner, the petitioner did not appear and as such, an ad interim order was passed by the learned court.
6. The Officer-in-Charge, New Jalpaiguri Police Station has filed a report in the form of instructions before this Court, inter alia, stating that the parties were asked by the police to comply with the order of the learned Civil Court, but, the police authorities fairly submit that they could not identify the land.
7. However, it is made clear that if the petitioner feels that the status quo order is being violated by the plaintiffs, then the remedy of the petitioner is before the appropriate Civil Court.
8. Liberty is granted to the learned advocates for the respondents to file the vokalatnama within a week.
9. Accordingly, the writ petition is disposed of.

(Shampa Sarkar, J.)