

WPA 15120 of 2026

Paresh Nath Banerjee
Vs.
The State of West Bengal & Ors.

Mr. Sarbananda Sanyal
Mr. Samrat Chakraborty
Mr. Saikat Gayen
...for the petitioner

Mr. Rajdeep Bhattacharya
Mr. Ankit Kumar Mishra
...for the State
Mr. Kaushik Bhattacharyya
Mr. Soham Banerjee
...for the respondent nos. 6 & 7

1. Affidavit of service filed on behalf of the petitioner is taken on record.
2. Learned advocate representing petitioner relying upon one order dated 6th August, 2001 passed by the Hon'ble Division Bench on an application being CAN 3914 of 2001 in connection with one appeal being FMAT 2734 of 1999 has submitted that in spite of subsistence of this interim order dated 6th August, 2001 directing the parties to maintain *status quo* private respondents are trying to raise construction.
3. It is contended on behalf of the petitioner that since order dated 6th August, 2001 of the

Hon'ble Division Bench is violated by raising construction petitioner approaches this Court with the present writ petition seeking direction upon the concerned police authorities to take necessary steps.

4. State respondents and respondent nos. 6 and 7 are represented by learned advocates who have jointly submitted that issue involved in this writ petition is civil in nature.
5. As it is submitted on behalf of petitioner that interim order passed by the Hon'ble Division Bench on 6th August, 2001 still subsists, petitioner is required to take steps in accordance with law by approaching the appropriate forum in pursuit of remedy. Police authority is not the appropriate authority to decide the right of the parties over the property in question.
6. Hence, writ petition stands dismissed.
7. Urgent photostat certified copy of the order, if applied for, be given to the parties, upon usual undertakings.

(Saugata Bhattacharyya, J.)