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(DL)

09.09.2026
Court No. 05
(Suwendu Mukherjee)

IN THE HIGH COURT AT CALCUTTA

CONSTITUTIONAL WRIT JURISDICTION
(APPELLATE SIDE)

WPA 22504 of 2026

Nur Mahammad Sk
-Versus -

The State of West Bengal & Ors.

Mr. Goutam Misra
Mr. Vaskar Pal

....for the petitioner

Mr. Ajit Kumar Chaubey
Mr. Vinayak Chaubey

...for the State respondents

- 1) Affidavit of service filed on behalf of petitioner is taken on record.
- 2) It is submitted on behalf of petitioner that his possession over property in question is being disturbed by respondent no. 5 prompting petitioner to approach this Court with present writ petition seeking direction upon concerned police authorities to take steps which would facilitate petitioner to enjoy peaceful possession over property in question.
- 3) State respondents are represented by learned advocate who has disputed submission made on behalf of petitioner and it is submitted that issue involved in this writ petition is civil in nature requiring petitioner to approach appropriate forum.
- 4) In the event petitioner finds that right to enjoy possession over property in question is being denied by

respondent no. 5, then petitioner needs to approach civil court in order to assert such right.

5) If petitioner finds that his complaint before concerned police authorities is not taken into consideration, in that event there is an alternative remedy available to petitioner by approaching jurisdictional Magistrate under Section 175(3) of the Bharatiya Nagarik Suraksha Sanhita, 2023.

6) With aforesaid direction, writ petition stands disposed of.

7) Parties to act on server copy of this order duly downloaded from the official website of this Court.

(Saugata Bhattacharyya, J.)