

Sl. No.09  
10.04.2026  
sayandeep  
Ct 05

IN THE HIGH COURT AT CALCUTTA  
CIRCUIT BENCH AT JALPAIGURI  
CONSTITUTIONAL WRIT JURISDICTION  
APPELLATE SIDE

**WPA 585 of 2026**

Tultuli Oraon @ Tultuli Oraw  
Versus  
The State of West Bengal & ors.

Ms. Madhushri Dutta  
Ms. Dalia Roy  
Ms. Bipasha Mrug

... For the petitioners

Mr. Joyjit Choudhury  
Mr. Nabankur Paul

.... For the State

1. The present writ petition has been filed complaining inaction on the part of the police authorities. The petitioner claims to have obtained an order from the civil Court in Title Suit No. 32 of 2021 passed by the Court of the Civil Judge (Junior Division), Siliguri on 11<sup>th</sup> February, 2021 whereby the interim prayer of the plaintiff had been allowed thereby restraining defendants to withhold construction and/or installation in any manner whatsoever in suit property.
2. Learned advocate for the petitioner would submit that the petitioner has been *prima facie* able to establish her case before the learned Court and having regard thereto, the injunction order has been passed. According to the petitioner, although the petitioner

has lodged complaint with the police authorities on 13<sup>th</sup> October, 2025 as would appear from the seal office of the Deputy Commissioner of Police, Siliguri, the report filed by the police authorities in Court today which is taken on record does not speak of the aforesaid complaint. The report also does not deny that the aforesaid complaint has been lodged by the petitioner.

3. On the contrary, it records that the petitioner did not produce any documents on enquiry.
4. Be that as it may, since a complaint has been lodged by the petitioner on 7<sup>th</sup> April, 2026 alleging criminal trespass and illegal encroachment, I am of the view that the police is under an obligation to ensure the petitioner's property is not encroached especially when an order of Civil Court is subsisting. This court, however, does not enter any other issues at this stage.
5. List this matter before the next available Circuit Bench.
6. The police authorities shall file an updated report in the matter when the matter is taken up next.

**(Raja Basu Chowdhury, J.)**

