IN THE HIGH COURT AT CALCUTTA
Constitutional Writ Jurisdiction
Appellate Side

Present:
The Hon'ble Justice Rishad Medora
SD

WPA 31480 of 2026

Ruma Chatterjee & Ors.
VS
State of West Bengal & Ors.

For the petitioners	:	*Mr. Jayanta Samanta,* *Mrs. Karunamoyee Samanta,* *Mr. Debendra Ghosal,* *Mrs. Satabdi hattacharya,* *Mr. Tapan Ghosal,* *Ms. Diya Ghosal,* *Mr. Sourav Mitra,* *Mr. A. Mondal,* *Mr. Gourav Singha,* *Mr. Raja Paswan*
For the State	:	*Mr. D.N.Roy,Ld.G.P.* *Mr. Madhu Jana, Ld. J.G.P.,* Mr. Avik Biswas Ms. Manisha Paswan, Mr. Dibashis Basu, Ms. Sneha Dutta, Mr. Purnendu das
For the Respondent No. 22	:	Ms. Tanushreee Chakraborty, Ms. Riddhi Naskar
Heard on	:	30th October, 2026
Judgment on :	:	30th October, 2026

Rishad Medora, J.

1. The petitioner has filed the present writ petition praying for, inter alia, a writ of mandamus commanding the respondent authorities to immediately and strictly implement an order dated October 6, 2026 passed by the learned 3rd Civil Judge (Senior Division), Howrah in Title Suit No. 27 of 2026.

2. Learned advocate representing the petitioner has submitted that the petitioner and the respondent nos. 5 to 32 are co-owners of a plot of land in Howrah.

3. He further submits that the respondent no. 29 has unilaterally authorised the respondent no. 33 to develop and construct a building on the said plot of land.

4. Subsequently, upon getting knowledge of the foregoing, the petitioners filed a partition suit before the learned 3rd Civil Judge (Senior Division), Howrah seeking partition of the said plot of land.

5. In such suit, by an order dated January 28, 2026, the learned 3rd Civil Judge (Senior Division), Howrah was pleased to direct the parties to the said suit to maintain an order of *status quo* with respect to the nature, character and possession of the suit property.

6. It is further submitted that such interim order is subsisting as on date.

7. Learned advocate representing the petitioners also submits that subsequently, the respondent no. 33 was added as a party to the said partition suit.

8. It is the case of the petitioners that despite the subsistence of the aforesaid ad interim order of *status quo,* construction work is still taking place on the said plot of land.

9. In support of such submission, he brings to the notice of this Court a report dated September 30,2026 filed by a commissioner before the said Trial Court.

10. In such circumstances, the plaintiffs in the aforesaid suit were constrained to file an application before the learned Trial Court under Section 151 of the Code of Civil Procedure, 1908.

11. The said petition was disposed of by an order dated October 6, 2026 by directing the Officer-in-Charge of Sankrail Police Station, Howrah to ensure that the *status quo* order which had been passed by the said Court on January 28, 2026 and operative as on such date is properly implemented in accordance with law at the suit locale in terms of its true spirit and purport by both parties and violated by none.

12. It is further submitted that this order was brought to the knowledge of the Officer-in-Charge of Sankrail Police Station, Howrah by the petitioners as well as by their learned advocates.

13. Despite the same, the learned advocate representing the petitioners submits that construction work is still going on over the said plot of land and the Sankrail Police Station, Howrah is taking no action whatsoever.

14. In such circumstances, the petitioners have been compelled to file the present writ petition and, accordingly, pray for appropriate orders.

15. Learned advocate representing the State has handed over an inquiry report dated October 28, 2026 prepared by the Inspector-in-Charge of Sankrail Police Station, Howrah. The same is taken on record.

16. A copy of the same has been served on the learned advocate representing the petitioners.

17. Learned advocate representing the State submits that the Sankrail Police Station, Howrah is duly abiding by the order dated October 6, 2026 passed by the said learned Trial Court. He submits that there has been no inaction or wrong doing on the part of the police authorities. He further submits that the allegations contained in the writ petition are baseless.

18. The private respondent no. 22 is represented. She leaves the matter to the discretion of this Court.

19. None of the other respondents are represented despite service.

20. An affidavit-of-service filed on behalf of the petitioners is taken on record.

21. In view of the order proposed to be passed by this Court, I find that the absence of representation of the other respondents is immaterial.

22. I have considered the materials on record and heard the advocates representing the parties.

23. There does not appear to be any significant controversy in this matter. In view of the same, this writ petition i.e. **WPA 31480 of 2026** is disposed of by directing the respondent no. 4 to ensure that the order dated October 6, 2026 passed by the learned 3rd Civil Judge (Senior Division), Howrah in Title Suit No 27 of 2026 is properly implemented in accordance with law.

24. No further order is required to be passed in this writ petition. Accordingly, the writ petition stands disposed of.

25. There will be no order as to costs.

26. In view of the fact that no opposition has been called for, the allegations in the writ petition are deemed not to have been admitted by the respondents.

27. Urgent photostat certified copy of this order, if applied for, be supplied to the parties upon compliance of all requisite formalities.

(Rishad Medora, J.)