

IN THE HIGH COURT AT CALCUTTA
[CIRCUIT BENCH AT PORT BLAIR]

WPA/30/2026

Shri Rafique Ahmed

Vs.

The Andaman and Nicobar Administration and Others

Ms. G. Mini for the petitioner

Ms. Babita Das ... for the respondents

January 29, 2026
[SR]
Item No.7

The petitioner wanted to transfer his tenancy right in the concerned plot of land. He applied for permission of the Deputy Commissioner in terms of Regulation 159(9) of the Andaman and Nicobar Land Revenue and Land Reforms Regulation, 1966 on June 16, 2025.

After expiry of four months from the date of the application for permission to transfer, the petitioner submitted the sale deed for registration.

November 2025 was the date fixed for registration of the sale deed. Such registration was not granted on that date. Subsequently, a communication was received by the petitioner wherein it was stated that no registration could be granted because there was no permission of the competent authority to transfer the tenancy right.

On January 07, 2026, the Deputy Commissioner passed an order rejecting the petitioner's prayer for permission to transfer his right.

In the aforesaid factual matrix, the petitioner has approached this Court. The short contention of the petitioner is that, upon expiry of four months from the date of the petitioner applying for permission to transfer, there was deemed permission since within four months there was no rejection nor any communication to the petitioner in terms of the proviso to Regulation 159(9) of the Andaman and Nicobar Islands Land Revenue and Land Reforms Regulation, 1966.

Learned advocate for the respondents seeks a day's accommodation to obtain better instructions.

List this matter tomorrow (January 30, 2026) under the same heading.

(Arijit Banerjee, J.)