

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

WPA/188/2025

Smt Kurshid Begum

Vs.

The Andaman and Nicobar Administration and others

Ms. G. Mini

... for the petitioner

Ms. Babita Das

... for the respondents

April 04, 2025
[SR]
Item No.5

Ms. G. Mini, learned advocate appearing for the petitioner submits that by a letter dated 11th October, 2023, no dues/non-encumbrance certificate was issued which was valid for a period of from 11th October, 2023 to 10th April, 2024. The gift deed could not be executed within the said period of time and as such further application was submitted by the petitioner for no dues/non-encumbrance certificate. In response thereto, by a letter dated 10th February, 2025, the Assistant Commissioner has intimated that a field inspection was conducted and it was found that approximately 690 sq.mrts of land is in the possession of the recorded tenant which exceeds the area mentioned in the record of rights and as such the land is not free from encumbrances.

She further submits that no field inspection was conducted in presence of the petitioner and that on the basis of the allegation that more land was in possession of the recorded tenants, no dues/non-encumbrances certificate cannot be withheld more so when in respect of the self-same land, no

dues/non-encumbrance certificate was earlier issued which was valid till 10th April, 2024.

Ms. Babita Das, learned advocate appearing for the respondent prays for an accommodation to avail necessary instruction and to produce the relevant records before this Court on the returnable date.

List the matter for further consideration on Monday i.e. 7th April, 2025.

(Tapabrata Chakraborty, J.)