

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

WPA/212/2025

Shri Sahadev Singhadar

Vs

The Andaman and Nicobar Administration and another

Ms. G. Mini

... for the petitioner

Mr. Babita Das

... for the respondent

April 10, 2025

[MH]

Item nos. 22

The present writ petition has been preferred challenging the inaction on the part of the respondents to confer occupancy right to the petitioner.

Ms. G. Mini, learned advocate appearing for the petitioner submits that that the petitioner is a joint recorded non-occupancy tenant pertaining to the land detailed in paragraph No. 3 of the writ petition (hereinafter referred to as the said land), as would be explicit from the Record of Rights annexed to the present writ petition. On 28th December, 2023, the petitioner submitted an application to the respondent No. 2 for treating him as an occupancy tenant in respect of the said land and to make necessary correction in the Record of Rights.

Ms. Babita Das, learned advocate enters appearance on behalf of the State respondent.

Upon hearing the learned advocates appearing for the respective parties and considering the materials on record, I am of the opinion that no useful purpose will be served by keeping the writ petition pending and the issue needs to be relegated to the competent authority.

Accordingly, this Court directs the respondents No. 2 to consider the representation submitted by the petitioner on 28th December, 2023, upon granting an opportunity of hearing to the petitioner and all other interested parties and to take a decision, in accordance with law and to communicate the same to the petitioner.

The above exercise shall be completed within a period of eight weeks from the date of communication of this order.

As the writ petition is being disposed of without calling for affidavits, the allegations levelled against the respondents in the writ petition shall be deemed to have been denied.

With the above observations and directions, the writ petition is disposed of.

However, there shall be no order as to costs.

Urgent Photostat certified copy of this order, if applied for, shall be supplied to the parties as expeditiously as possible, upon compliance of all formalities.

(Tapabrata Chakraborty, J.)