

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

WPA/266/2024

Smti Surina Roy

Vs

The Andaman and Nicobar Administration and others

Mr. KMB Jayapal ... for the petitioner

Ms. Babita Das ... for the Administration

Mr. Arul Prasanth ... for the private respondent no.4

August 9, 2024
[SR]
Item Nos.32

From the affidavit of service filed in Court today, I find that all the private respondents have been served. Only the private respondent no.4 is represented.

The petitioner is aggrieved by the fact that, although the notice dated December 27, 2023 issued by the Office of the Tehsildar, Port Blair, pertains to Survey No.3, reports have been sought to be prepared by the subordinate officers which indicate that part of survey no.2335/2 is in unauthorized/illegal occupation of the petitioner.

The petitioner says that if the Tehsildar can at all proceed, he can do so only in respect of Survey No.3 and not Survey No.2335/2. The eviction suit filed by the private respondent no.4 herein against the petitioner and others has been dismissed. The respondent no.4 has adopted this circuitous method of dispossessing the petitioner from land which he lawfully occupies.

Learned advocate for the respondent no.4 says the Survey No.2335/2 corresponds to old Survey No.3. Therefore, the office of the Tehsildar has not done anything illegal or irregular.

This is a factual issue. The Administration has not yet filed its affidavit. Let such affidavit be filed within two weeks from date (22.08.2024) disclosing relevant records. Reply thereto, if any, be filed by the petitioner within a week thereafter (29.08.2024).

List the matter after three weeks before the next available Circuit Bench.

(Arijit Banerjee, J.)