

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

WPA/311/2026

Mr. Thirupati

Vs

The Lt. Governor and Others

Mr. Angili Nag, Sr. Adv.
Mr. Adarsh Ilango
Mr. Deb Kumar Bawali ... for the petitioner

Ms. Babita Das ... for the respondent Nos.1, 4 & 5

Mr. Rakesh Kumar
(*through virtual mode*)
Mr.P.Srinivas Naidu ... for the respondent Nos. 2 & 3

June 18, 2026
[AKB]
Item No.7

The petitioner is aggrieved that his tract of land, which was purchased for valuable consideration, has been treated as a 'reserve forest', on account whereof he is unable to use the same.

He had approached this Hon'ble Court on an earlier occasion by way of a writ petition being WPA/42/2026, which was disposed of by an order dated March 10, 2026 directing the Sub Divisional Officer to deliberate on the matter on the basis of the assistance to be rendered by the respondent No.3 herein.

The respondent No. 5 has proceeded to reject the application of the petitioner primarily on the ground that the request of the petitioner for diversion of the land from "hilly" to "house site" cannot be considered to as the classification of "hilly" remains intact.

It appears from the tenor of the order dated April 21, 2026 by the respondent No.5, which is assailed in the instant

writ petition, that the same had been passed without any assistance from the respondent No. 3.

The respondent No.3 has chosen not to comply with the order of this Hon'ble Court.

In any event, if there is indeed a mistake in the classification, of which there is a great probability, since adjacent plots have already been diverted and classified as house sites, it is for the respondent No.2 herein to assess and ascertain whether the plot of the petitioner has been inadvertently or erroneously classified as 'hilly'. Since the authorities are not extending any assistance to each other, I direct the respondent No. 2 to file a report disclosing the nature of the plot the petitioner not just on the basis of the existing classification, but also as to whether such existing classification is correct or has been done erroneously or inadvertently.

Such report shall be filed by the respondent No. 2 by way of an affidavit by July 15, 2026.

List this matter before the next Circuit Bench for further consideration.

(Reetobroto Kumar Mitra, J.)