

IN THE HIGH COURT AT CALCUTTA

[CIRCUIT BENCH AT PORT BLAIR]

...

WPA/453/2024

Shri P. Bakya Raj

... Petitioner

Vs.

The Andaman & Nicobar Administration and Ors.

... Respondents

Ms. G. Mini

...for the Petitioner

Ms. Babita Das

...for the Respondents

September 03, 2024

(M.A.Mobin)

Item No.7

Learned Advocate for the petitioner and learned Advocate for the Respondents are present.

Heard learned Advocates. The grievance of the Writ Petitioner is that an application for Sub-division of the Writ Petitioner's land made before the Respondent no.2 still remains undisposed and the petitioner is deprived of his rights.

Learned Advocate for the petitioner draws attention to the letter dated 09th March, 2023 issued by the Assistant Commissioner (Settlement), A & N Islands pursuant to the application made by the Writ Petitioner requesting the Writ Petitioner to rectify the discrepancies pointed out in the said letter. The petitioner pursuant to the letter rectified the discrepancies as it will appear in his letter dated 01.9.2023. Thereafter the Assistant Commissioner, A & N Islands by

notice dated 02nd January, 2024 directed the Writ Petitioner to file a fresh proposal map as the earlier proposal map was not consented by Co-tenants. The petitioner pursuant to the said order by letter dated 12.02.2024 submitted a fresh proposal map bearing Sy. No.274/17 with close boundaries.

Learned Advocate submits that in spite of letter dated 12.02.2024 the case being RC No.39/GIS/2023/DC(SA)/33 dated 2nd January, 2024 still remains undisposed. Upon hearing the learned Advocates and considering the facts of the case this Court is of the view that no fruitful purpose will be served by keeping the Writ Petition pending and directing filing of affidavits.

Thus this Writ application stands disposed of by directing the Respondent no.2 to consider and decide the application of the petitioner for sub-division of his land within a period of 8 weeks from the date of communication of the order upon giving the petitioner an opportunity of being heard. Such decision should be by a reasoned order and communicated to the petitioner.

As no Affidavit-in-Opposition is filed the allegations made in the Writ application is deemed to be not admitted.

Parties are to act on a server copy of this order duly collected from the official website of the Hon'ble High Court at Calcutta.

(Biswaroop Chowdhury, J.)