

**HIGH COURT OF TRIPURA
AGARTALA**

WP(C)(PIL) No.02 of 2024

Sri Rishiraj Nath

.....Petitioner(s);

Versus

The State of Tripura & others

.....Respondent(s).

For Petitioner(s) : Mr. Rishiraj Nath, Petitioner-in-person.

For Respondent(s) : Mr. Kohinoor N. Bhattacharyya, G.A.,
Mr. Arijit Bhaumik, Advocate.

**HON'BLE THE CHIEF JUSTICE MR. APARESH KUMAR SINGH
HON'BLE MR. JUSTICE ARINDAM LODH**

Order

10/07/2024

Petitioner is a practising advocate of this Court who has preferred the instant Public Interest Litigation (PIL) on behalf of some residents of the city who seek to bring to the notice of this Court a cause of public nature i.e. illegal construction of structures to be used as shop from Central Road towards Khosh Bagan. They contend that these persons do not have any sanctioned plan or clearance from the municipal authorities to do so. Illegal encroachment of road would make it unserviceable and specially in times of calamity when ambulance and fire services have to reach the site without any hindrance and delay.

The encroachers have of course not been made party.

When the matter is taken up, learned counsel for the respondent-Agartala Municipal Corporation Mr. Arijit Bhaumik has submitted that even prior to filing of the PIL, notice for demolition of illegal structures has been issued on 19.06.2024 by the Assistant Municipal Commissioner, Central Zone, Agartala Municipal Corporation. As such, the Corporation is on the job. He submits that as per latest instruction furnished yesterday, the Corporation is taking proper steps to ensure that the said public road is free from

encroachment and all illegal structures are removed. He submits that the grievances of the petitioner are being redressed with due promptitude.

Learned counsel for the Corporation shall instruct the Corporation to ensure that unauthorized illegal structures mushrooming anywhere in the city are duly removed in accordance with law before compelling citizens to approach the Court in the nature of a PIL. The authorities under the Corporation are under a mandate of law to ensure that the city is free from encroachments and specially on the public lands/roads, parks, etc. within the jurisdiction of the Corporation. Mr. Bhaumik, learned counsel for the respondent-Corporation, has assured the Court that the Corporation would be proactive in removal of any encroachment within the city lying under its jurisdiction.

In view of the categorical statements made by learned counsel for the Corporation, it appears that prompt action is being taken by the Corporation for removal of the unauthorized and illegal structures on the Central Road towards Khosh Bagan. As such, this Court is of the view that the grievances of the petitioner are being addressed by the statutory authorities. Therefore, the instant PIL is disposed of with a direction upon the respondent No.2 to file a compliance affidavit within a period of 2(two) weeks from today. Needless to say, the observations made hereinabove as to removal of unauthorized illegal structures within the city would also be diligently carried out by the Corporation in accordance with law so that public places and roads in the city are not clogged causing inconvenience to the general public.

(ARINDAM LODH), J

(APARESH KUMAR SINGH), CJ

Pijush/