

HIGH COURT OF TRIPURA
AGARTALA
WP(C) No. 301 of 2025

Smt. Arati Das

.....Petitioner(s)

Versus

The DM & Collector & Ors.

.....Respondent(s)

For Petitioner(s)	:	Mr. A. De, Advocate. Mr. R. Hossain, Advocate. Ms. M. Ali, Advocate.
For Respondent(s)	:	Mr. P. Gautam, Sr. G.A.

HON'BLE JUSTICE DR. T. AMARNATH GOUD

ORDER

19.06.2025

Heard learned counsel for the respective parties.

[2] This present petition has been filed under Article 226 of the Constitution of India seeking the following reliefs:-

- "i. Admit this petition.
- ii. Call for records and after hearing the parties;
- iii. Issue writ and/or order directing the respondents to revert or remitted back the said allotment of land measuring 20 satak passed in the year 1983, and also set aside and dismiss the order/judgment of DM & Collector Dhalai Jawaharnagar dated 24.04.2025 in connection with 03/REV/2016 and cancellation of allotment order passed by SDM Kamalpur dated 26.09.2013 in connection with 03/REV/2013 which is completely false and fabricated and against the spirit of law and for fair ends of justice.

[3] It is the case of the petitioner that an allotment order was issued way back in the year 1983 wherein the petitioner alongwith her husband was allotted with 20 satak of land. After that allotment order, they were started living there. Subsequently, after a long gap of 30 years in the year 2013 the SDM & Collector, Kamalpur, Dhalai District without giving any opportunity cancelled that allotment order. Being deprived, the petitioner herein filed an appeal before the DM & Collector, Dhalai District, wherein, the said authority by an order dated 25.04.2017 set aside the cancellation of allotment order passed by the SDM & Collector, Kamalpur, Dhalai District

thereby directing for fresh hearing. Thereafter, SDM & Collector, disobeying the order of the appellate authority illegally allotted 8 satak of land to a third party. Finally, the DM & Collector by an order dated 24.04.2025 upheld the order of cancellation issued by the SDM & Collector, Kamalpur, Dhalai District. Being aggrieved, the petitioner herein approached this Hon'ble Court.

[4] After perusal of the record, this Court feels that reasonable opportunity needs to be given to the petitioner herein. As per section 93 (2) (b) of the Tripura Land Revenue and Land reforms Act, 1960 wherein it has been specifically stated as under :-

"93. (2) A second appeal shall lie against any order passed in first appeal,-

(a) if such an order is passed under clause (a) of sub-section (1), to the Collector;

(b) if such an order is passed under clause (b) of sub-section (1), to the "[State Government];....."

[5] In view of the same, without expressing any opinion on the merits of the case, this present writ petition is disposed of directing the petitioner herein to approach before the Revenue Department of the State Government by filing revision petition under section 93(2) (b) of TLR & LR Act 1960, against the order dated 24.04.2025 passed by DM & Collector, Dhalai District within 01 week from today and on receipt of the same the respondent State Government is directed to decide the same within 03 months by giving an opportunity of personal hearing to the petitioner as well as the other necessary parties.

With the above observation and direction, this present writ petition stands disposed of. As a sequel, miscellaneous application(s), pending if any, shall stand closed.

JUDGE

Paritosh

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