

HIGH COURT OF TRIPURA
_A_G_A_R_T_A_L_A_

WP(C) No.652 of 2025

1. Sri Haradhan Chakraborty, son of late Tarani Kanta Chakraborty, resident of Vill & P.O. Jumerdhepa, P.S. Melaghar, Sepahijala, Tripura, PIN-799115 [Age-72 years].

.....Petitioner

_V_E_R_S_U_S_

1. The State of Tripura (to be represented by) by Principal Secretary, PWD (DWS), Department, Government of Tripura, New Secretariat Building, New Capital Complex, Kunjaban, P.S. New Capital Complex, Agartala, West Tripura, PIN-799010.
2. The Chief Engineer, PWD (DWS) Department, Government of Tripura, P. N. Complex, Gurkhabasti, Agartala, West Tripura, PIN-799006.
3. The Executive Engineer, PWD (DWS), Department, Bishalgarh Division, Bishalgarh, Sepahijala, Tripura, PIN-799115.
4. The Assistant Engineer, DWS, Melaghar Sub-division, Melaghar, Sepahijala, Tripura, PIN-799115.

.....Respondents

For Petitioner(s)	:	Mr. S. Bhattacharjee, Advocate.
For Respondent(s)	:	Mr. P. Gautam, Sr. GA.

HON'BLE JUSTICE DR. T. AMARNATH GOUD

_F_I_N_A_L_O_R_D_E_R_

01.12.2025

Heard.

[2] The present petition has been filed under Article-226 of the Constitution of India directing the respondents to vacate the possession of land measuring 0.13 acres of paschim jumerdhepa mouja and handover the same to the petitioner after removing all illegal constructions therefrom.

[3] The petitioner has prayed for the following reliefs:

“i. Issue rule upon the respondents to show cause as to why a writ in the nature of mandamus and/or order/orders and/or direction/directions of like nature shall not be issued whereby directing the respondents to vacate the possession of land measuring 0.13 acres of Paschim Jumerdhepa Mouja and handover the same to the petitioner after removing all illegal constructions therefrom.

ii. Make the rules absolute.

iii. Call for records.”

[4] The facts in brief are that the petitioner is praying for necessary directions upon the respondents to vacate the possession of land measuring 0.13 acres of paschim jumerdhepa mounja and handover the same to the petitioner after

removing all illegal constructions therefrom. Despite several representation from the end of the petitioner, the respondents-State have remained silent over the matter and continued illegal possession of the petitioner's land thereby infringing the petitioner's constitutional right guaranteed under Article-300A of the Constitution of India.

[5] Hence, the present petitioner has been preferred before this Court for redress.

[6] In view of above and having heard the learned counsel appearing for the parties, without expressing any opinion on merits, this Court is of the view that ends of justice would be met if the matter is disposed of by directing the respondents to consider all relevant documents that would be placed by the petitioner for taking appropriate decision in accordance law. The said decision be taken within a period of one week from the date of receipt of the copy of this order. It is needless to observe that in the event, if the respondents are convinced that the petitioner is the owner of the land, possession of the petitioner be restored.

[7] In that view of the matter, the present petition stands disposed of. As a sequel, miscellaneous application, pending if any, shall stands closed.

DR.T. AMARNATH GOUD, J

A. Ghosh

ANJAN GHOSH Digitally signed by ANJAN GHOSH
Date: 2025.12.04 16:50:08 +05'30'