

HIGH COURT OF TRIPURA
AGARTALA
WP(C) NO.187 OF 2026

Shri Narayan Ghosh, aged 67 years,
S/o Late Harimohan Ghosh
Indranagar, Banglar Math, P.O: Kunjaban, P.S: East Agartala Agartala,
West Tripura - 799006

... Petitioner(s)

VERSUS

1. State of Tripura

Represented by the Secretary to the, Department of Revenue, New
Secretariat Complex, Agartala, West Tripura-799006.

2. District Magistrate and Collector (West Tripura), Akhaura Road,
Agartala, West Tripura - 799001

3. Estate Officer (O/O the Sub Divisional Magistrate), Sadar, West
Tripura, Office Lane, Agartala, West Tripura - 799001

... Respondent(s)

Present:

For the Petitioner(s) : Mr. D. Bhattacharya, Sr. Advocate.
Mr. A. Chakraborty, Advocate.
Mr. S. Das, Advocate.
Mr. S. Ghosh, Advocate.
Mr. R. Bhattacharjee, Advocate.

For the Respondent(s) : Mr. Kohinoor N. Bhattacharyya, G.A.
Mr. M. Debbarma, Addl. G.A.

HON'BLE JUSTICE DR. T. AMARNATH GOUD
Order

27.03.2026

1. Heard Mr. D. Bhattacharya, learned Sr. counsel assisted by
Mr. A. Chakraborty, learned counsel appearing for the petitioner, as well as
Mr. M. Debbarma, learned Addl. G.A. appearing for the respondents.

2. The petitioner has filed the present writ petition under Article 226 of the Constitution of India, seeking a writ in the nature of Certiorari for setting aside or quashing the order dated 9th February 2026 passed under the Tripura Public Premises (Eviction of Unauthorized Occupants) Act, 1982, and also a writ in the nature of Mandamus directing the respondents to demarcate the land of the petitioner and thereafter remove or demolish any unauthorized construction, if remaining.

3. It is the case of the petitioner that the respondents, without any notice and unauthorizedly, are taking away the land of the petitioner on the allegation that the petitioner is an unauthorized encroacher. The matter was also adjudicated before the respondents by placing all the relevant records and documents. Since nothing favourable has turned out in favour of the petitioner, the petitioner is before this Court in view of the threat of demolition of the petitioner's property to some extent, on the allegation of the respondents that the petitioner is an encroacher.

4. Mr. M. Debbarma, learned Addl. G.A., appearing for the respondents, earlier sought an adjournment for obtaining instruction(s), and when the case is listed today, learned Addl. G.A. is ready with written instruction(s) and certain relevant records, and argued that a number of opportunities were given to the petitioner to place relevant documents in support of his claim, and hearing opportunity was also given. Learned Addl. G.A. states that opportunity for hearing and for submitting documents/evidence in support of his claim was given to the petitioner on 22.01.2026 and 31.01.2026. Though the petitioner appeared before the respondents, he failed to produce any document in support of his claim, and accordingly, the respondents have negated the claim of the petitioner. He further, by way of a hand-sketch map, has explained before this Court that there is a clear encroachment on Government land by the petitioner.

5. At this juncture, Mr. D. Bhattacharjee, learned Sr. counsel appearing for the petitioner, in all fairness submits before this Court that a physical inspection on the strength of the records and measurement be done

in the presence of the petitioner, and he is ready to give up any extent of land if it is found to be Government land and if he is in unauthorized occupation of the land apart from his personally purchased owned land/plot.

6. Considering the submissions made by the learned Sr. counsel appearing for the petitioner, this Court feels that the ends of justice would be met if the writ petition is disposed of by directing the respondents to conduct physical inspection on the strength of the records available and also during measurement and accordingly the same is ordered. In the event, it is found that the petitioner is encroaching any extent of Government land, the respondent authorities are at liberty to dispossess or demolish the petitioner's encroachment and take over the extent of land that belongs to the Government. This exercise shall be completed by the respondents on or before 30th April, 2026. It is needless to observe that the petitioner shall cooperate with the said proceeding.

7. The respondents shall fix a date and time and intimate the petitioner with regard to the said inspection. In the event the petitioner is absent or does not cooperate, it is open for the respondents to proceed with the inspection as directed by this Court.

8. With the above observation and direction, this present writ petition stands disposed of. As a sequel, stay if any stands vacated. Pending application(s), if any also stands closed.

DR. T. AMARNATH GOUD, J