



TRHC010008692026



2026:THC:690

**HIGH COURT OF TRIPURA
AGARTALA**

WP(C) 345/2026

Vaishnavi Infratech Construction And Developers Pvt. Ltd.

----Petitioner(s)

Versus

The Agartala Municipal Corporation & 9 others

----Respondent(s)

For Petitioner(s) : Mr. D. Bhattacharjee, Sr. Advocate
Mr. K. Deb, Advocate

For Respondent(s) : Mr. A. Bhaumik, Advocate

**BEFORE
HON'BLE JUSTICE DR. T. AMARNATH GOUD**

Order

21/05/2026

Heard Mr. D. Bhattacharjee, learned senior counsel assisted by Mr. K. Deb, learned counsel appearing for the petitioner. Also heard A. Bhaumik, learned counsel appearing for the respondents.

2. By means of filing this writ petition, the petitioner has prayed for the following reliefs:

- “(i) Admit this Writ petition;*
- (ii) Issue notice upon the Respondents;*
- (iii) Issue Rule calling upon the Respondents to show cause as to why a writ in the nature of Mandamus and/or any other appropriate writ, order or direction shall not be issued directing the Respondent No.2 and Respondent No.3 to conclude the pending inspection/enquiry proceedings and publish/communicate the enquiry report initiated pursuant to notice dated 15.12.2025 and 24.12.2025 within a stipulated time frame ;*
- (iv) iv) Issue a writ in the nature of Mandamus directing the Respondent No.2 and Respondent No.3 to furnish and communicate to the Petitioner the inspection report and the exact nature and extent of alleged deviations, if any, detected during the inspection proceedings.*
- v)Issue a writ in the nature of Mandamus directing the Respondent Municipal Authorities to permit the Petitioner to submit revised plans, compliance documents and applications for regularisation in respect of the alleged deviations, if the same are regularisable under the applicable building rules and regulations;*

- vi) Issue a writ in the nature of Mandamus directing the Respondent Municipal Authorities to consider and dispose of the Petitioner's prayer for regularisation of alleged deviations in accordance with law upon payment of applicable penalty and compliance with statutory requirements within a stipulated time frame;*
- vii) Issue a writ in the nature of Mandamus directing the Respondent Municipal Authorities to process and dispose of the Petitioner's application for Occupancy Certificate strictly in accordance with law, by considering the peculiar facts and circumstances of the present case including alleged non-co-operation of the private Respondents and by taking independent decision in accordance with law within a stipulated time frame;*
- viii) Issue a writ in the nature of Mandamus restraining the Respondent Authorities from keeping the Petitioner's applications and statutory proceedings pending;*
- (ix) Pass such further writ/writs, order/orders or direction/directions as this Hon'ble Court may deem fit and proper in the interest of justice;*
- (x) Any other relief(s) as to this Hon'ble high Court may deem fit and proper."*

3. It is the case of the petitioner, that the petitioner and the private respondents have entered into a Development Agreement for construction of a G+4 residential/commercial apartment on the land of the private respondents. Thereafter, the petitioner obtained sanctioned building plan from the respondent-AMC and also got registration under RERA. It is the case of the petitioner that after taking over the construction work, the private respondents started creating obstruction by several means. Thereafter, the petitioner approached the private respondents for obtaining Occupancy Certificate and revised building plan to regularize the permissible deviation in the construction, but the private respondents made a complaint with the respondent-AMC without acknowledging the Occupancy Certificate and the revised building plan. It is further case of the petitioner that the AMC then issued a notice upon the petitioner

with regard to the complaint made by the private respondent to which the petitioner attended by hearing was not conducted. Second notice was also issued by the AMC upon the petitioner directing to stop the construction work and formed a team of 5 members for inspection and inquiry. Upon satisfaction of the inspecting team, the petitioner submitted his application for Occupancy Certificate. Upon receipt of such application, the respondent-AMC asked the petitioner to submit some documents, to which the petitioner has duly submitted. It is further case of the petitioner that till date the respondent-AMC has not taken any action on the representation submitted by the petitioner and is not providing him the Occupancy Certificate due to which the petitioner is facing serious financial loss. Hence, this writ petition.

4. Learned counsel for the petitioner has submitted that the petitioner has completed his construction work by spending huge amount on his own and due to non-co-operation from the respondents, the petitioner is facing serious financial loss. It is also submitted that upon being satisfied with the deviation, the respondent-AMC asked the petitioner to submit application for obtaining occupancy certificate, hence there is no impediment to provide the Occupancy Certificate in favour of the petitioner.

5. On perusal of the record, it is transpired that the petitioner the petitioner by letter dated 12.12.2025 requested the private respondents to extend their co-operation for obtaining Occupancy Certificate. Further, from the notice dated 15.12.2025 issued by the respondent No.3, it is seen that the

respondent no. 3 directed both the petitioner and the private respondents to appear in his chamber with supporting land documents on 23.12.2025 for hearing. From notice dated 24.12.2025 issued by respondent no.3, it is further seen that earlier hearing could not be conducted and, hence the petitioner was directed to stop his construction work till inspection conducted by a technical team formed by the respondent-AMC. On 02.12.2025, the petitioner submitted his letter to the respondent no.3 making a request to issue Occupancy Certificate. Again on 17.01.2026 the petitioner by his application requested the respondent-AMC to provide the Occupancy Certificate and on receipt of the same, the respondent no.3 by his notice dated 26.03.2026 directed the petitioner to submit the necessary documents. On 08.04.2026, the petitioner submitted all the required documents to the office of respondent No.3.

6. At this juncture, Mr. Bhaumik, learned counsel appearing for the respondent-AMC in all fairness has submitted that in the event if they submit fresh document immediately, the occupancy certificate would be considered and the same will be issued by the respondents.

7. In view of the above submission, advanced by learned counsel appearing for the respondent-AMC, it is directed that the petitioner shall once again submit the required documents, viz. *(i) Form G (duly filled up); (ii) Copy of approved plan; (iii) Land documents (Deed & Khatian); (iv) Revised Plan as per physical position,* as indicated by the respondent no.3 in his

communication dated 26.03.2026 (Annexure 11 to the writ petition), for obtaining Occupancy Certificate. The respondent-AMC shall take an independent decision in this regard within a period of 1(one) month from the date of receipt of the documents from the petitioner. This court hopes and trusts that the respondent-AMC shall definitely act into the matter. This order is passed without expressing any opinion on merits.

With the above directions the instant writ petition is disposed. Pending application(s), if any, also stands disposed.

JUDGE



**SAIKAT
KAR** Digitally signed
by SAIKAT KAR
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