

Party Name : SMT. NAMITA RANI DAS & ORS Vs THE STATE OF TRIPURA & ORS

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THE HONBLE MR. JUSTICE S.C.DAS

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Heard learned counsel Mr. D. C. Saha for the petitioners and learned G.A. Mr. T. Dutta Majumder for the State-respondents.

The case is taken up for disposal at the motion stage itself on the prayer of learned counsel of both sides.

Short question involved in this writ petition is that the petitioners approached the respondents for permitting them to divert land measuring 0.660 acres recorded as 'pukur' (pond) under plot No.1977 and Khatian No.1318 of Mouja-Agartala Sheet No.21 to 'Bastu' class of land for their necessity by making a prayer dated 17.06.2013 but till today such application made by the petitioners has not been disposed of by the respondents.

By filing counter affidavit, the respondents contended that for allowing such diversion of land, 'No-objection Certificate' from the Agartala Municipal Council is required since the land is situated within the Municipality area and for non submission of 'No-objection Certificate' from Agartala Municipal Council, the prayer of the petitioners could not be disposed of.

Learned counsel Mr, Saha submits that no communication was made by the respondents that such 'No-objection Certificate' is necessary for disposing the petition regarding diversion of land.

The respondents contended that the petitioners were informed. Be that as it may, the writ petition is disposed of with a direction to the petitioners to obtain 'No-objection Certificate' from the Agartala Municipal Council and to submit it to the respondents within 3(three) months from today and the respondents are directed to dispose the prayer of the petitioner dated 17.06.2013 within 30(thirty) days thereafter.

With this observation and direction, the writ petition stands disposed of.

Copy of the order may be made available to the learned counsel of both sides.