

Party Name : SRI LALPHENA @ LALPHAN & 3 ORS Vs THE STATE OF TRIPURA &4 ORS

---

THE HONBLE MR. JUSTICE S.C.DAS

---

Heard learned counsel, Mr. G.K. Nama for the petitioners and learned counsel, Mr. B. Dutta for the State respondents.

Simple issue involved in this writ petition is that the petitioners are the owners of some trees grown in the jote land and the land belonged to "Jumpui Orange Grower Society Private Limited" and they are permissive possessors of the land owned by the society.

Contending that they have grown the trees in the jote land, they sought for permission for extraction of those trees in the year 2010. They satisfied the requirements as per rule for issuing them permission for extraction but it was kept withheld by the respondents. Joint verification report was also submitted and even thereafter the permission for extraction has not been issued and therefore the petitioners approached this Court for issuing necessary direction to the respondents to immediately issue permission for extraction of trees from their jote land.

Respondents filed affidavit-in-opposition admitting the fact that the petitioners applied for extraction of trees from jote land and in para 11 of the affidavit-in-opposition stated—

*"11. That in reply to the averments and/or contentions made in Paragraph No 3 of the writ petition I state that, trees under the Jote land has already been registered as per the rules/guidelines in the name of the petitioners with TRC nos 265, 266, 267, 268 of 2014 dated 26.11.2014. It is also pertinent to mention here that an application for extraction permit was received from the petitioners on 05.12.2014 and the said applications already forwarded to Range officer Damcherra Range for measurement of trees and the permit will be issued after completion of official process."*

In para 14 of the affidavit-in-opposition the respondents further stated that they have received applications from the petitioners for extraction on 05.12.2014 and the matter is under process for issuance of the extraction permit.

Under such circumstances, after hearing learned counsel of both side, this writ petition is disposed of with a direction to the respondents to issue necessary extraction permit as per rules to the petitioners immediately and not beyond 30(thirty) days from today.

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