HIGH COURT OF TRIPURA
AGARTALA

W.P. (C) No.398/2020

For Petitioner(s)	: Mr. S.M. Chakraborty, Sr. Advocate. Ms. A. Pal, Advocate.
For Respondent(s)	: Mr. M. Debbarma, Addl. GA.

HON'BLE THE CHIEF JUSTICE MR. AKIL KURESHI

Order

04/12/2020.

Case of the petitioner is that his neighbour has put a construction which is not only irregular, in deviation of the building plans passed by the AMC, but more importantly, a portion of it encroaches in the petitioner's land.

Learned counsel for the petitioner drew my attention to certain orders passed by the Municipal authorities indicating that the construction carried out by the neighbour of the petitioner respondent No.6 is not according to the plans passed. However, there is no indication in any of these orders that any portion of such construction is carried out in the land of the petitioner.

If the case of the petitioner is that the construction of respondent No.6 encroaches any part of his property, let the petitioner first approach the Municipal authorities with such a specific case giving details thereof.

The Municipal authorities would look into the grievance of the petitioner, if need be carry out measurements at the site and thereafter proceed further in accordance with law. Of course, at all stages, granting of hearing to the respondent No.6 would be necessary. If any occasion arises for taking out measurements, the same shall be done in presence of the petitioner as well as respondent No.6.

The petitioner shall make a representation within 2 (two) weeks from today. If he so does, the Assistant Commissioner of AMC shall communicate his response to the representation within 4 (four) months of the receipt thereof.

With these observations, the petition is disposed of.

(AKIL KURESHI), CJ

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