HIGH COURT OF TRIPURA
AGARTALA

W.P. (C) No.1340/2019

Sri Mohanlal Baspar

.....Petitioner(s)

Versus

The State of Tripura and others

.....Respondent(s)

For Petitioner(s) : Mr. P. Roy Barman, Advocate.
Mr. Samarjit Bhattacharjee, Advocate.
Mr. Kawsik Nath, Advocate.

For Respondent(s) : Mr. D. Bhattacharjee, GA.

HON'BLE THE CHIEF JUSTICE MR. AKIL KURESHI

Order

22/01/2020.

Heard learned counsel for the parties for final disposal of the petition.

The petitioner has challenged an order dated 29.08.2019 passed by the SDM (Estate Officer), Dharmanagar, North Tripura as well as impugned order passed by the District Magistrate & Collector, Dharmanagar, North Tripura (Appellate Authority) dated 25.09.2019. Under such orders, the petitioner is ordered to evict Government land bearing Plot No.6179, Khatian No.9/11, Mouja – Dharmanagar. The case of the petitioner is that he is occupying such land since early 1960s where he has built a small residential unit and is residing there with his family. The petitioner, therefore, requests that the land may be allotted to the petitioner by the Government.

It is undisputed that the petitioner is occupying Government land. In absence of any specific Government policy for allotment of land looking to the special needs of a class of citizens, no

direction for such allotment can be issued. However, considering the fact that the petitioner is occupying such land since over 60 years and over which he has also build a house where he is residing with his family, let the petitioner apply to the Government for grant of the land on market rate. The petitioner shall make such an application within a period of 2(two) weeks from today indicating his willingness to pay the market rate as may be fixed by the Government if it decides to grant the land to the petitioner. If such an application is made within the time prescribed, the competent authority shall consider the same and decide in accordance with law preferably within a period of 6(six) months from date of receipt of the application. Till decision is taken on the application, the petitioner shall not be evicted from the said place. Needless to state, if the petitioner is aggrieved by the decision of the Government in this respect, it would be open for the petitioner to seek legal remedies.

With these directions, petition is disposed of. Pending application(s), if any, also stands disposed of.

(AKIL KURESHI), CJ

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