

09.10.2020
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W.P.A. 7743 of 2020
(Assigned)
(Through Video Conference)

Subir Chander
Vs.
The Andaman and Nicobar Administration & ors.

Mr. Deep Chaim Kabir
Mr. S. Ajith Prasad
... For the petitioner

Mr. Krishna Rao
... For the respondents

This is an application under Article 226 of the Constitution of India wherein the writ petitioner is aggrieved by an order dated 25th September, 2020 passed by the Deputy Commissioner, South Andaman District.

By virtue of this order, the Deputy Commissioner being the respondent no.2 has directed the respondent no.3, Ferrargunj Tehasildar, to demolish the offending portion of the property-in-question and realise the cost for such demolition and removal of the debris from the petitioner.

On September 25, 2020, an interim order had been passed.

Today, Mr. Rao, learned Counsel appearing on behalf of the respondents fairly submits that the matter may be remanded before the concerned authority to pass

a reasoned order after granting an opportunity of hearing to the petitioner.

In my view, the stand taken by the respondent authority is quite fair and accordingly, I direct the respondent no.2 to grant an opportunity of hearing to the petitioner and thereafter pass a reasoned order within a period of four weeks from date.

I make it clear that no coercive step shall be taken by the respondent authorities for a period of seven days after passing of the reasoned order.

With the above directions, this writ petition is disposed of.

Since no affidavit is called for, allegations made in the writ petition are deemed not to have been admitted.

All parties are to act on website copy of this order.

(Shekhar B. Saraf, J.)