

IN THE HIGH COURT AT CALCUTTA
[CIRCUIT BENCH AT PORT BLAIR]

WPA/258/2026

Shri Albert Tirkey and others

Vs

The Principal Chief Conservator of Forest and another

Mr.Prakash Minj ... for the petitioner

Mr. Rakesh Kumar ... for the respondents

August 28, 2026
[AKB]
Item No.4

1. Learned advocate for the writ petitioner and learned advocate for the respondent is present.
2. Heard learned advocates for the parties.
3. This writ application is directed against the notice dated 17.04.2026 passed by the Estate Officer, Divisional Forest Officer, Little Andaman upon the writ petitioners along with others.
4. Learned advocate for the writ petitioners submits that the writ petitioners were in service of the Forest Corporation and by virtue of the said service they were occupying certain quarters and after retirement their dues are not settled and they have to reside in the said quarters and depend upon the cultivation.
5. Learned advocate for the writ petitioner submits that in the event his clients are not granted opportunity to move the competent civil court for settlement of their dues and other related matters the writ petitioners will suffer irreparable loss and injury.

6. Learned advocate for the respondents submits that the writ petitioners at present have no right to occupy the lands with regard to which the notice is issued. Thus no relief can be granted in this writ petition.

7. Upon considering the nature the nature of dispute and the fact that the writ petitioners by virtue of their service under Forest Corporation were occupying the said land from 1978 and the fact that the representation/reply is submitted with regard to notice of eviction issued by the Estate Officer of respondent No.2, in the interest of justice the respondent No.2 should be directed to consider the said reply/representation before taking any coercive action against them. Thus the respondent No.2 shall consider the reply/representation submitted by the writ petitioners on 17.04.2026 marked as Annexure P-5 to the writ application upon giving the writ petitioners and their learned advocates an opportunity of being heard and by passing a reasoned order. Before passing reasoned order on the issue no coercive action shall be taken against the writ petitioners.

8. It is needless to mention that in the event the writ petitioner are aggrieved by the decision of the respondent No. 2 they will be entitled to avail the legal remedies as provided under laws.

9. With the above directions the writ application is disposed of.

(Biswaroop Chowdhury, J.)