

FORM. II**TRIPURA HUMAN RIGHTS COMMISSION
KUNJABAN, AGARTALA****Complaint No. 43 of 2024****Complainant: Sri Bipul Kanti Bhattacharjee
ORDER SHEET**

Sl.No.	DATE	ORDER	NOTE
05	18.09.24	<p>Complainant is absent. Today is fixed for his examination in view of report of Sub-Divisional Magistrate, Teliamura Sub-Division as receipt on 21.08.2024. Today Sub-Divisional Magistrate, Teliamura has submitted his said report again through post, keep it with the record.</p> <p>The Commission has perused meticulously and report submitted by Sub-Divisional Magistrate. As per reports the complaint of Bipul Kanti Bhattacharjee was that in the office of the SDM, Teliamura, in August, 2019 the then Revenue Inspector made a physical verification / inquiry and after the said physical inquiry the then RI submitted a report while he opined that a land of measuring one kanta was illegally possessed by one Sri Sujit Kr. Deb of Kalyanpur Bazar which is a part of Plot No. 3823 (PR) and that land was recorded in favour of the complainant Binod Bihari Bhattacharjee vide Khatian No. 329 of Mouja Madhya Kalyanpur. Copy of the same report of R.I. was enclosed. That report also shows that Sujit Kr. Deb claimed that he bought the said piece of land about 40-45 years back and copy of the khatian was enclosed.</p> <p>It is reported that in the year 2008 father of Sujit Kr. Deb namely: Surjya Kr. Deb took initiative for demarcation</p>	

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of his land. Accordingly, got it demarcated and the said copy of the demarcation report was also enclosed. Subsequently, after the death of Surjya Kr. Deb the said land came in possession of his two sons, namely: Sujit Kr. Deb and Sanjit Kr. Deb. During the time of construction of building in the said plot of land possessed by Sri Sujit Kr. Deb, Sri Bipul Kanti Bhattacharjee complainant and his brother raised verbal objection. The document of Surjya Kr. Deb recorded in Khatian No. 539 of Khawai Tehsil, Kalyanpur shows that the said Surjya Kr. Deb did not have any plot bearing number 3823. Revised Khatian No. 4803 of Sujit Kr. Deb and Sanjit Kr. Deb also shows that they are not the owners of plot no. 3823, rather they are owners of Plot No. 3824, 3827 / 11531 of Mouja Madhya Kalyanpur. As per report of R.I, the Plot No. 3823 part measuring one kranta of land has been illegally possessing by Sujit Kr. Deb and that land covered under Khatian No. 239 of Madhya Kalyanpur.


So it appears that, there is a dispute of land between the complainant and Sujit Kr. Deb which can be decided only by court of law. There is no iota of allegation of his violation of human rights by the State or State Agencies. The complainant in his complaint stated that SDM did not make any prayer for recovery of the said land by SDM and as such, he lodged an allegation before DM & Collector on 22.10.2020 but no action was taken. Eviction of illegal possession in respect of private property cannot be done by SDM. It can only be done by a competent court and for that complainant is to approach the civil court subject to

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limitation. This subject matter of the complaint in no way attracts violation of any human rights by the State or State Agencies. Moreover, on the date fixed for hearing, the complainant did not appear before this Commission to give evidence in support of his complaint. Hence, this Commission finds that the complainant is reluctant to proceed with his complaint. This Commission does not find any merit in the complaint since complainant showed his reluctance in appearing before this Commission and to give statement on oath. Hence, this complaint is disposed of with findings that there is no iota of violation of human rights of the complainant by the State or State Agencies.

Publish the complaint in commission's Web Site accordingly.

Copy of the order may be sent to the complainant.


(UDIT CHOUDHURI)
MEMBER


(JUSTICE S.C. DAS)
CHAIRPERSON


(B.K. RAY)
MEMBER