

TRIPURA HUMAN RIGHTS COMMISSION

KUNJABAN: AGARTALA

PIN-799006

Complaint No. 127 of 2025

(Sri Ashim Debbarma)

ORDER SHEET

SL. No.	Date	Order	Note
01	01/11/2025	Received a complaint from one Ashim Debbarma, resident of Durga Chowdhury Para, P.O Khash Noagaon, R.K Nagar having mobile no. 9862066564. It is alleged in the complaint that in the year 2019 one Naresh Debbarma, S/O Lt. Birendra Debbarma, illegally encroached over a portion of that land recorded under Khatian No- 154/1, R.S plot No. 2496,2497,2498 & 2503, and built a structure over the said land. After knowing that immediately the complainant and his younger brother Bishal Debbarma, issued a legal notice to Sri Naresh Debbarma, through Ld. Advocate Raghunath Mukherjee, demanding to vacate the land. Thereafter notice receiver himself filed civil suit before the court of Ld. Civil Judge, West Tripura Agartala, which was registered as T.S 31/2019 & T.S.C.C 06/2019 against the complainant. During the pendency of those cases Sri Naresh Debbarma, along with his family members and associates, started to pressurise the complainant and other owners to transfer the land in their name and failing which they also threatend them for dire consequences. Certain members of the village Khandal Committee also supported them and continuously	

harassing and coercing the complainant. Perhaps the word 'Khandal' was a mistake, it might be 'Mandal'. It is also alleged that Naresh Debbarma had cut down and destroyed large number of trees such as mango, coconut, betel nut, jackfruit, and various fruit-bearing and flowering trees standing on the land of the complainant, where the complainant protested against those unlawful action, they became violent and aggressive and started to attack the complainant physically and also threatened him and his person. The complainant lodged several complaints to the local police station, but no effective action was taken. Only a case u/s 107 cr. PC was registered and forwarded the same before the Ld. SDM's court. The SDM heard the matter and directed the opposite parties to execute bond for good behavior. But even after execution of a bond, Naresh Debbarma & his associates they continued to trouble the complainant and pressurized the complainant in the name of "Shalshi Sabha" to transfer the land to Naresh Debbarma and to withdraw the complaint.

During COVID-19 lockdown in 2020, the Secretary and President of Durga Choudhuri Para Sangha Club, namely Shantalal Debbarma, and Bappi Debbarma, issued a notice, on 18.08.2020 calling for an urgent meeting in the month of August 2020 and by that notice also he further warned the complainant. There are some other allegations which relates to incident of 2020 It is stated that after full-fledged hearing both the T.S case no 31/2019 and T.S CC

06/2019, were decreed in favour of the complainant confirming their ownership and possession over the disputed land. After losing the case, being aggrieved with the order, dated, 02.12.2022, passed by the Ld. Civil Judge Senior Division, West Tripura in those cases, they preferred appeal before the Addl. District Judge, West Tripura, which was registered as T.A 07/2023 and T.A 08/2023. During pendency of the appeals said Naresh Debbarma and his associates continuously used to harass them in various ways.

There are some other allegations of the year 2022 in respect of those cases. It is also stated that on 25.08.2023 mother of the complainant passed away. Following her demise those accused persons forcibly prevented the complainant from performing her cremation on their land and thus committed inhuman act and violated fundamental human and religious rights of the complainant. Taking advantage of their social expulsion and absence of official protection, the accused persons and their associates now illegally occupied their lands and properties. One person namely Swapan Debbarma have illegally occupied the northern portion of their land. It is alleged that on 28.02.2025, the Ld. Addl. District Judge, West Tripura, after full-fledged hearing dismissed the titled appeal preferred by Naresh Debbarma in favour of the Complainant.

On perusal of the complaint petition, it appears that all incidents took place more than one year back and moreover there was a civil dispute and regarding

the dispute civil cases were instituted before civil court. In those civil cases, judgments were passed and those judgments were also challenged in appeal and appellate court confirmed the lower court judgments. Now regarding the courts order, if any action is required to be taken, then the complainant is to approach the civil court. The human Rights Commission has got no such authority to decide the dispute of the complainant which is totally civil dispute between him and Naresh Debbarma and other parties.

As per Rule 9 of Tripura Human Rights Commission regulation, 2022, this Commission cannot entertain any civil dispute such as property rights, Moreover all the incidence took place more than one year back. So, this Commission cannot entertain the complaint filled by the complainant. Complainant is at liberty to approach the civil court for proper redress. Thus, the present complaint is disposed of without any further order.

Inform accordingly the complainant.



(Justice Arindam Lodh)
Chairperson



(Udit Choudhuri)
Member