

provision of presidential regulation and as such the impugned judgement and order is liable to be set-aside by this Hon'ble Court.

2. For that the notification dated 30/10/2007 issued by the Lt. Governor, A & N Islands is valid, legal and said notification cannot be challenged.
3. For that the Lt. Governor (Administrator) is empowered under sub-section (1) of section (3) of prevention of Aboriginal Tribes Regulation, 1956 to declare any part of this Islands as prohibited place for tourist/or commercial activities keeping in view the General Welfare, Status and Protection of the Aboriginal Tribes and such power of the Lt. Governor cannot be called in question by the Respondent herein without showing any malafide action on behalf of the respondent authorities.
4. For that the Ld. Single judge failed to appreciate the fact that the respondent herein did not move any representation ventilating the grievance before the authority before coming to the court and as such the writ application filed by the respondent herein was liable to be dismissed by the Ld. Single judge being premature and misconceived.
5. For the Ld. Single judge also failed to appreciate the fact that the respondent herein were constructing their Resort at Collinpur village which is within a distance of one