

**HIGH COURT OF TRIPURA
AGARTALA
WP(C)No.441 of 2023**

Smt. Mina Sinha & 5 Ors

Petitioner(s)

VERSUS

Union of India & 4 Ors

Respondent(s)

For Petitioner(s)	: Mr. T.D. Majumdar, Sr. Advocate. Ms. R. Debbarma, Advocate
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For Respondent(s)	: Mr. B. Majumdar, Dy. SGI Mr. A. Acharjee, Advocate.
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HON'BLE MR. JUSTICE T. AMARNATH GOUD

ORDER

21.07.2023

This is a petition filed under section 226 of the Constitution of India seeking the following reliefs:-

- I. Issue Rule, upon the respondents and each one of them, to show as to why a writ, in the nature of mandamus or like nature, shall not be issued upon them, directing the official respondents to cancel/ or rescind the order of payment of compensation for building and structure on the acquired land of the building in favour of respondent nos. 6 and 7 forthwith.
- II. Issue rule, upon the respondents or each one of them to show cause as to why the respondent no. 3 shall not be directed to make payment of compensation, as was assessed for building cost and damage to the petitioners amounting to Rs.10,07, 304 (Rupees Ten Lacs Seven thousands and three hundred and four) immediately and recover the same from the respondent nos.4 and 5 thereafter.
- III. Issue Rule, upon the respondents to show cause as to why a writ in the nature of mandamus or like nature shall not be issued directing the respondent no. 3 to produce records, relevant to the subject matter of proceedings, for rendering substantial justice directing the respondent no.3 to make payment to the petitioners a sum of Rs.10,07,304(Rupees Ten lakhs seven thousand and three hundred and four) only forthwith and in no time.
- IV. To pass any other order/orders as Your Lordship may deem fit and proper in the circumstances of the case.
- V. Upon hearing the parties make the rule absolute in terms of prayer No. (i), (ii),(iii) and (iv) above.

[2] Heard Mr. T.D. Majumder, learned Sr. counsel assisted by Ms. R. Debbarma, learned counsel appearing for the petitioner as well as Mr. B. Majumder, learned Deputy SGI appearing for the respondent-Union of India and Mr. A. Acharjee, learned counsel appearing for the respondents No.2 & 3 and perused the evidence on record.

[3] It is seen from the record that the petitioner herein has submitted a representation dated 16.03.2023 ventilating her grievance before the respondent No.2 and the respondent herein as replied to the same vide letter dated 11.05.2023. This Court is of the view that the impugned reply dated 11.05.2023 is cryptic and unreasoned one and as such, the same is set aside. Accordingly, this present writ petition is disposed of with a direction upon the respondents to pass a speaking order upon the 16.03.2023 claim cum representation made by the petitioner before the respondent. This decision of the respondents shall be made within a period of 01(one) month from the date of receipt of the copy of this order. It is needless to observe that since petitioners right to claim compensation towards their property is involved an opportunity of personal hearing may be given to the petitioners in such proceeding.

[4] With the above observation and direction, this present writ petition stands disposed of. As a sequel, stay if any stands vacated. Pending application(s), if any also stand disposed of.

JUDGE

Paritosh

**DIPAK
DAS**

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