

HIGH COURT OF TRIPURA

A_G_A_R_T_A_L_A_

WP(C) No.417 of 2024

Sikaria Mega Food Park (P) Limited

.....Petitioner

_V_E_R_S_U_S_

The State of Tripura and 4 Others

.....Respondents

For Petitioner(s)	:	Mr. D. Bhattacharjee, Sr. Advocate. K. Deb, Advocate. Ms. M. Dey, Advocate. Mr. V. Deb, Advocate.
For Respondent(s)	:	Mr. B. Majumder, Deputy SGI. Mr. D. Sarma, Addl. G.A. Mr. R. Saha, Advocate.

HON'BLE MR. JUSTICE T. AMARNATH GOUD

_F_I_N_A_L_O_R_D_E_R_

09.12.2024

Heard.

[2] The present petition has been filed under Article-226 of the Constitution of India for quashing the letter dated 28.05.2024 with a heading of termination of lease agreement and also quashing the eviction notice dated 14.06.2024 issued by the respondent Nos.2 and 4 and also allow the petitioner to run their business activities in the leased land. Further, prohibiting the respondents from acting in furtherance of the letter dated 28.05.2024 and eviction notice dated 14.06.2024.

[3] The facts in brief are that the petitioner has challenged the termination letter dated 28.05.2024, whereby the TIDC/Respondent No.2 terminates the lease deed and the allotment order unilaterally. On termination, the TIDC/Respondent No.2 also issued an eviction notice on 14.06.2024 which was received on 19.06.2024. The petitioner is a company, who introduced on the behalf of the Union of India for the purpose of infrastructure development at Tripura for which the TIDC on prayer allotted 11.71 acres of land on premium and rent besides. The respondent No.2 has no rule except running the project.

[4] Hence, the present petition has been preferred by the petitioner before this Court for redress.

[5] During the course of argument, learned counsel appearing for the respondents submitted before this Court that demand made for the amounts have been paid by the petitioner and accordingly, there are no arrears and the petitioner has

deposited the said amount with this Registry of this Court and prayed to grant a direction to the registry to permit the respondents to withdraw the amounts.

[6] In view of the same, there shall be a direction to the registry to release the amounts in favour of the respondents unconditionally as per procedure as and when an application is made seeking withdrawal before the registry. Since, the main issue which was under challenged before this Court is with regard to the demand for payment of certain amounts and the petitioner has to deposit the same and the same is already been done, nothing survives for adjudication at present. In that view of the matter, the present petition stands disposed of as infructuous.

[7] However, it is made clear that in the event if fresh issue raises or there is any leftover issue in the process of this *lis*, it is always open for both the petitioner as well as the respondents to make appropriate claim or counter claim against each other and *doctrine of Res-Judicata* would not apply in this regard.

[8] In view of above, the present petition stands disposed of. As a sequel, miscellaneous applications pending, if any, shall stand closed.

T. AMARNATH GOUD, J

A. Ghash

