

**HIGH COURT OF TRIPURA
AGARTALA**

LA. App No. 60 of 2024.

Smt. Ramechu Chowdhury Appellant(s)
Vs
Land Acquisition Collector & Anr. Respondent(s)

LA. App No.61 of 2024.

Shri Gopal Debnath Appellant(s)
Vs
Land Acquisition Collector & Anr. Respondent(s)

LA. App No. 63 of 2024.

Shri Laxman Tripura Appellant(s)
Vs.
Land Acquisition Collector & Anr. Respondent(s)

LA. App No. 102 of 2023

Shri Abir Sen Appellant(s)
Vs
The Dy. Chief Engineer (Construction) N.F Railway & Anr. Respondent(s)

LA.App No. 103 of 2023.

Smt. Aditi Chanda (Das) Appellant(s)
Vs.

The Dy. Chief Engineer (Construction) N.F Railway & Anr. Respondent(s)

LA. App No. 104 of 2023.

Smt. Pratima Roy Appellant(s)
Vs.
The Dy. Chief Engineer (Construction) N.F Railway & Anr. Respondent(s)

LA.App No.109 of 2023.

Shri Biplab Baidya & Ors. Appellant(s)
Vs.

The Dy. Chief Engineer (Construction) N.F Railway & Anr. Respondent(s)

LA.App. No. 06 of 2024

Sri Rakhal Ch. Sen Appellant(s)
Vs.
The Dy. Chief Engineer (Construction) N.F Railway & Anr. Respondent(s)

LA.App No.07 of 2024
Sri Rakhal Ch. Sen**Appellant (s)**
Vs.
The Dy. Chief Engineer (Construction) N.F Railway
Badharghat Railway Station & Anr.**Respondent(s)**
LA.App No. 12 of 2024.
Shri Kalayan Brata Basak**Appellant(s)**
Vs.
The Dy. Chief Engineer (Construction) N.F Railway ,
Badharghat Railway Station and Anr.**Respondent(s)**

For Appellant(s) : Mr. S. Bhattacharjee, Advocate.
For Respondent(s) : Mr. B. Majumder, Dy. SGI.

HON'BLE MR. JUSTICE T. AMARNATH GOUD

ORDER

27.11.2024

Heard Mr. S. Bhattacharjee, learned counsel appearing for the appellants. Also heard Mr. B. Majumder, learned Dy. SGI appearing for the concerned party.

[2] Since, the subject matter involves in these appeals are similar in nature and the learned counsel appearing for both the parties are also same, thus these appeals are taken up collectively for hearing and disposal by a common order.

[3] Mr. S. Bhattacharjee, learned counsel appearing for the appellants in all the appeals submits before this court that before the Trial Court they have not placed any documents, proving the title and the same were not marked as exhibits also.

[4] Heard and perused the evidence on record.

[5] It is seen from the orders passed by the learned Court below and also from the records that no issue has been framed with regard to the title deeds. Ownership have not been established and title deeds are not placed on record and thus there was no occasion to mark as exhibits. Without there being any issue on the titles and without examining the said documents, it cannot be construed that the claimants are the owners and they are entitled for compensation. In the absence of the same, this Court feels that the Court below needs to look into this aspect. Accordingly, the orders passed by the Court below are set aside, and the matters are remanded to the learned L.A Court for framing issues on the title deeds and providing an opportunity, if required, to amend the pleadings. The Court below is also directed to receive the title deeds, allow both sides to conduct chief and cross-examination, present arguments, and decide the matters as per procedure.

With the above observation and direction, the appeals are remanded back and accordingly, the same are disposed of. As a sequel, miscellaneous application(s) pending, if any, shall also stand closed.

JUDGE

Paritosh

SABYA
SACHI
GHOSH

Digitally signed
by SABYASACHI
GHOSH
Date:
2024.12.06
12:02:53 +05'30'