

**HIGH COURT OF TRIPURA
AGARTALA**

WP(C) 506 of 2024

Sri Shubha Mani Debbarma

---Petitioner(s)

Versus

The State of Tripura and 3 ors.

---Respondent(s)

For Petitioner(s)	:	Mr. D. Paul, Advocate.
For Respondent(s)	:	None.

**HON'BLE MR. JUSTICE T. AMARNATH GOUD
Judgment & Order (Oral)**

26.07.2024

Heard learned counsel for the petitioner.

This is a petition under Article 226 of the Constitution of India for seeking the following relief(s):

- (i) *Issue Rule upon the respondents to show cause as to why a Writ in the nature of Mandamus and/or order/direction shall not be issued whereby directing the respondents to release the statutory interest in favour of the petitioner on the compensation amount of Rs.3,20,042/- @ 9% per annum w.e.f. 20.09.2010 till 19.09.2011 & further interest on Rs.3,20,042/- @ 15% per annum w.e.f. 20.09.2011 till date of actual payment, in c/w L.A Case No.04/KHW/2009, in terms of the Right of Fair compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013.*
- (ii) *Make the rules absolute.*
- (iii) *Call for records pertaining to the instant Writ Petition.*
- (iv) *Pass any further order/orders as this Hon'ble High Court considered fit and proper.*

It is the case of the petitioner that, on 28.08.2010, the Land Acquisition Collector, West Tripura, Agartala, issued Notice for taking over possession, to Sri Shib Narayan Debbarma, the grand-father of the Petitioner & others, notifying thereby, that, the land measuring 2.89 acres described in said Notice, had been acquired by the Government under the Land Acquisition Act I of 1894 for Establishment of BOP Banbazar of 92 Bn. BSF, as per Notification No. F.9(1)REVIEW/ACQ/VII/09, dated 26.06.2009. Stating so, it was directed upon Sri Shib Narayan Debbarma & others named

therein, to vacate & deliver possession of said land before the evening of 20.09.2010 to the representatives of Land Acquisition Collector. It was further stated therein, on failure to do so as directed, the Sub- Divisional Magistrate would be compelled to enforce the surrender of the property to the Department under Section 47 of Land Acquisition Act.

Later on, vide letter, dated 28.08.2010, the Land Acquisition Collector, West Tripura, informed Sri Shib Narayan Debbarma & others, that, in connection with L.A. Case No. 04/KHW/2009, Apportionment No. 1, as per proceeding u/s 11(1) of the Land Acquisition Act, 1894, Sri Shib Narayan Debbarma & others named in the said letter, were considered to get compensation towards awarded value of Rs.3,20,042/-. Stating so, Sri Shib Narayan Debbarma was asked to contact the office of the SDM, Khowai on 14.09.2010, personally or through any representative by executing a registered power of attorney in favour of him/her.

It is seen from the record that the petitioner herein has submitted a representation dated 29.01.2024 to the respondents and the same has not been acted upon till date. As a result, having no alternative, the present petition has been filed by the petitioner.

In view of the above and without expressing any opinion on merits, the present petition stands disposed of directing the respondents to consider the case of the petitioner in the light of the representation dated 29.01.2024 in accordance with law within a period of two months from the date of receipt of copy of this order.

Accordingly, the present petition stands disposed of. As a sequel, miscellaneous application pending, if any, shall stand closed.

JUDGE

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