

**HIGH COURT OF TRIPURA
AGARTALA**

LA.App 12 of 2025

The Deputy Chief Engineer (Con-2) N.F. Railway, Agartala.

---Appellant(s)

Versus

Sri Farid Khan and 2 Others.

---Respondent(s)

For Appellant(s)	:	Mr. B. Majumder, Deputy SGI.
For Respondent(s)	:	Mr. Ratan Datta, Advocate. Ms. S. Nag, Advocate.

HON'BLE MR. JUSTICE T. AMARNATH GOUD

Order

28.04.2025

This is an appeal under Section of the Land Acquisition Act, 1894 against the judgment and award dated 01.12.2022 passed in Misc.LA 200 of 2015 by the learned Land Acquisition Judge, West Tripura, Agartala.

[2] It is the case of the appellant that as per the requisition of the appellant, the land of the respondent-claimant, was acquired by the Land Acquisition Collector, West Tripura, vide notification dated 05.08.2011 for construction of 'New Railway line from Agartala to Sabroom'. Accordingly, the L.A. Collector, West Tripura, Agartala has awarded the compensation @ Rs. 25,00,000.00 lacs per kani for the land acquired. Being aggrieved by the amount of compensation, the respondent, filed an application under Section 18 of the L.A. Act, 1894, for referring the matter to the L.A. Judge, West Tripura, Agartala and accordingly, the same was referred to the court of learned L.A. Judge, West Tripura, Agartala. Thereafter, the learned L.A. Judge, West Tripura, Agartala after hearing both the parties, by its judgment dated 01.12.2022 has allowed the claim petition enhancing the award of compensation. Hence, this appeal.

[3] Heard.

[4] On last occasion (i.e. on 24.04.2025), when this court enquired the respondent-claimants with regard to the ownership of the claimants to which counsel for the respondent- claimants confidently submitted that the respondent-claimants are the legal owners of the property in question and they would produce the relevant title-deed. Subsequently, the request was granted stating that if they fail to produce such relevant document, the matter would be decided on the strength of the available records.

[5] Today when the matter is taken up for consideration, Mr. Ratan Datta, learned counsel for the respondents has placed on record the vernacular certified copy of Title deed of the of the claimants stating them to be the real owners of the subject property in question.

[6] In view of the above observation, this court is of the opinion that present matter be remanded back by setting aside the impugned order dated 01.12.2022 of the learned court below. The court below shall re-examine the matter by giving opportunity to both sides for filing relevant documents and also frame additional issues on alienable right, title and interest. The claimants shall also produce any such document claiming them to be the lawfully owners of the land in question by placing title deed, if any. The claimants are also at liberty to adduce any other relevant documents supporting their claim.

[7] With the above observation and direction, this present appeal is remanded back and accordingly, the same is disposed of. As a sequel, stay, if any, stands vacated. Pending application(s), if any, also stands closed.

JUDGE

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