

**HIGH COURT OF TRIPURA
AGARTALA**

WP(C) NO.85 OF 2025

Smt. Gitanjali Saha

Vs.

State of Tripura and ors.

HON'BLE MR. JUSTICE T. AMARNATH GOUD

Present:

For the Petitioner(s) : Mr. T.D. Majumder, Sr. Advocate.
Mr. K.K. Pal, Advocate.
Mr. D. Kalai, Advocate.

For the Respondent(s) : Mr. D. Sharma, Addl. G.A.

17.02.2025

Order

This present writ petition has been filed under Article 226 of the Constitution of India, seeking the following reliefs:

"i) Issue notice to the respondent Nos. 1-3 to show cause as to why a writ in certiorari should not be issued, directing them to produce relevant records to the Court for giving substantial justice and quashing the impugned corrigendum notification dated 12/08/2022 (Annexure 12 to the petition supra).

ii) Issue notice to the respondent Nos. 1-3 to show cause as to why a writ in MANDAMUS should not be issued, directing them to rescind/ cancel the impugn notice to vacate the land under in Notice dated 1.9.2022 (Annexure 6 to the petition supra).

iii) Issue rule absolute in terms of prayers made as above;"

2. The case of the petitioner is that she claims to be the owner of the land, a portion of which was affected by road widening through a notification dated 27.10.2020. Subsequently, through another corrigendum dated 12.08.2022, the respondents intending to acquire further land for road widening. Aggrieved thereby, the petitioner submitted representations/objections on 27.09.2022 and

sent reminders on 01.11.2022 and 17.12.2022. According to the petitioner, these representations remain unattended, prompting her to approach this Court by way of a writ petition.

3. Heard learned counsel appearing for both the parties.

4. As contended by the petitioner, she is the owner of the acquired land and had filed objections against the acquisition proceedings on 27.09.2022, followed by reminders on 01.11.2022 and 17.12.2022. However, the affidavit is silent on what steps the petitioner has taken since November 2022 to claim compensation or seek redressal of her legitimate rights before the respondent authorities. Therefore, it can be reasonably construed that filing a writ petition in the year 2025 for a cause of action that arose in the year 2022 suffers from laches, rendering it liable to be dismissed on this sole ground.

5. However, since the petitioner claims that her land has been acquired, it is essential that suitable compensation be paid if any property is affected by acquisition proceedings. The burden now lies on the respondents to closely verify the title deeds, ownership documents, and any other relevant records submitted by the petitioner. If the respondents find the claim to be valid, they shall take a decision on the petitioner's representations in accordance with the law within a period of 3(three) months from the date of receipt of a copy of this order. The petitioner shall cooperate with the respondents and submit all relevant documents for verification.

6. Therefore, without expressing any opinion on the merits in favour of the petitioner, the responsibility has been fastened upon the respondents to act in accordance with the law after ascertaining the title deed and ownership documents.

7. With the above observations, the present writ petition stands disposed of. Consequently, any interim stay, if granted, stands vacated. Pending application(s), if any, also stand closed.

JUDGE



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