

HIGH COURT OF TRIPURA
AGARTALA

WP(C) 89 of 2025

Shri Prabin Debbarma

---Petitioner(s)

Versus

State of Tripura and 3 Ors.

---Respondent(s)

For Petitioner(s)	:	Mr. T. D. Majumder, Sr. Advocate. Mr. D. Kalai, Advocate.
For Respondent(s)	:	Mr. M. Debbarma, Addl. GA.

HON'BLE MR. JUSTICE T. AMARNATH GOUD

Order

09.04.2025

Heard learned counsel for the parties.

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

- i. *Issue rule, upon the respondents as to why in the nature of Saturday may not be issued sending for records, relevant to the subject matter of the proceedings, from the custody of the respondents for rendering substantial justice holding that construction of Rd. One that you've learned of the petitioner is parsi legal and violating the constitutional mandates, edge and strength in article 300 A of the constitution of India and for quashing the decision not to act in conformity with the advocates notice SO for payment of compensation for illegally occupying the land measuring 0.16 accords for construction of Rd. on joke land of the petitioner.*
- ii. *Issue rule upon the respondents to show cause as to why read in the nature of mandamus shall not be issued commanding respondents or each one of them to restore the land in its original position and give up the position of the land to the petitioner and pay compensation for temporary holding the length since 2014 till date of release.*
- iii. *You should rule upon the respondents and each one of them to show this to why a rid of mandamus shall not be should directing them to pay company adequate compensation to the petitioner by way of acquisition of the land under the right to fair compensation and transparency in land acquisition rehabilitation and resettlement project, 2013.*
- iv. *Any other order or orders as your lordship may deem fit and proper may be passed.*
- v. *Issue rule absolute in terms of prayer Nos. (i), (ii) and (iii).*

[3] It is the case of the petitioner that the land of the petitioner measuring 0.16 acres has been possessed by the Govt. and constructed a road running from Champahour to Hatimara which runs over the Jote land of the petitioner under 1293. The petitioner filed a WP(C) 655 of 2022 which is allowed by this Court directing the respondents to

consider the claim of the petitioner within 1(one) month from copy of the judgment and communicate the decision.

[4] Despite submission of representation with copy of the judgment on 23.12.2022, it resulted no fruitful result till date. The DM & Collector desires to go for direct purchase through the land purchasing committee. The petitioner was called on who participated in meeting but did not agree to sell his land at the unilateral price to be given without acquisition.

[5] The petitioner wanted the Govt. to initiate Land Acquisition proceedings under the respective Land Acquisition Act, and pay adequate compensation. It is apparent that earlier Writ Petition was filed. There was initiation of process of acquisition for excess land of 0.16 acres by engaging expert group for social impact assessment in 2020. But the respondents herein are indulged to go for direct purchase at their whims missing the concept of purchase simplicitor. Hence, this petition.

[6] During the course of his submission, learned senior counsel for the petitioner has submitted before this court that in terms of the claim of the petitioner (i.e. the compensation for the land of his land), the concerned respondent(s) is ready for disbursement of the amount.

[7] In view of the same, without expression any opinion on the merit of the case, the instant writ petition stands disposed of giving liberty to the petitioner to approach before the concerned respondents for receiving the amount.

[8] With the above observation and direction, this present writ petition stands disposed of. As a sequel, stay, if any, stands vacated. Pending application(s), if any, also stands closed.

JUDGE

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