

HIGH COURT OF TRIPURA
_A_G_A_R_T_A_L_A_

WP(C) No.100 of 2025

Mekhlipara Tea Company Limited

.....Petitioner

_V_E_R_S_U_S_

The State of Tripura and 4 Others

.....Respondents

For Petitioner(s)	:	Mr. S. Bhattacharjee, Advocate.
For Respondent(s)	:	Mr. M. Debbarma, Addl. G.A.

HON'BLE MR. JUSTICE T. AMARNATH GOUD
_F_I_N_A_L_O_R_D_E_R_

27.02.2025

Heard.

[2] The present petition has been filed under Article-226 of the Constitution of India directing the State respondents to provide the petitioner with a detailed specification of the metes and boundaries of the proposed land to be acquired with relevant demarcations alignments in c/w L.A. Case No.04/JRN/2024. Further, directing the respondents to re-determine the amount of compensation payable to the petitioner for the proposed acquisition after taking into account, all the statutory parameters, including but not limited to, market value of the acquired land, standing constructions, loss and damage suffered by all the affected parties, loss due to shifting of business, accommodation, etc, or in the alternative, refer the matter to an Arbitrator in terms of the National Highway Act, 1956.

[3] The petitioner has prayed for the following reliefs:

- “(i) Issue Rule upon the Respondents to show cause as to why Writ in the nature of mandamus and/or Order or direction of like nature shall not be issued whereby directing the State Respondents to provide the Petitioner with a detailed specification of the metes and boundaries of the proposed land to be acquired with relevant demarcations with alignments in c/w L.A. Case No. 04/JRN/2024.
- (ii) Issue Rule upon the Respondents to show cause as to why Writ in the nature of mandamus and/or Order or direction of like nature shall not be issued whereby directing the Respondents to re-determine the amount of compensation payable to the Petitioner for the proposed acquisition after taking into account, all the statutory parameters, including but not limited to, market value of the acquired land, standing constructions, tea bushes, teak trees, loss and damage suffered by all the affected parties, loss due to shifting of business, accommodation, etc., or in the alternative, refer the matter/dispute to an Arbitrator in terms of the National Highways Act, 1956.
- (iii) Pass an order of ad-interim injunction restraining the State Respondents from carrying out further demolition/construction in the land of the petitioner

under Khatian No.239 of Mekhlipara Mouja, till disposal of the instant writ petition.

(iv) Make the rules absolute.”

[4] In the present petition, the petitioner has prayed for necessary directions from this Court upon the respondents to provide the petitioner with a detailed specification of the metes and boundaries of the proposed land to be acquired with relevant demarcations in c/w L.A. Case No. 04/JRN/2024; and to re-determine the amount of compensation payable to the Petitioner for the proposed acquisition after taking into account, all the statutory parameters, including but not limited to, market value of the acquired land, standing constructions, loss and damage suffered by all the affected parties, loss due to shifting of business, accommodation, etc., or in the alternative, refer the matter/dispute to an Arbitrator in terms of the National Highways Act, 1956.

[5] In addition thereto, the petitioner has also sought for an interim protection by way of an ad interim injunction restraining the State respondents from carrying out further construction in the land of the petitioner under Khatian No. 239 of Mekhlipara Mouja, till disposal of the instant writ petition. The petitioner approached the State respondents by submitting detailed representations, but there has been no response from the end of the State respondents till date.

[6] Being aggrieved by and dissatisfied with the same, the present petition has been preferred by the petitioner before this Court for redress.

[7] In view of above and having heard the learned counsel appearing for the parties, without expressing any opinion on merits, this Court is of the view that ends of justice would be met if the matter is disposed of by directing the respondents to consider the case of the petitioner, in accordance with law, facts and rights be decided as expeditiously as possible preferably within a period of three months from the date of the receipt of the copy of this order. Accordingly, the same is ordered. Further, it is made clear that whatever the decision is taken by the concerned respondents, the same may be communicated to the petitioner.

[8] As such, the present petition stands disposed of. As a sequel, miscellaneous application, pending if any, shall stands closed.

T. AMARNATH GOUD, J

A. Ghosh