

HIGH COURT OF TRIPURA
AGARTALA
WP(C) 498 of 2025

Sri Phani Bhushan Majumder
S/O-Lt. Annada Chandra Majumder, R/o: Vill: Ramthakur Para ICDS
Centre Jolaibari, South Jolaibari, Dist: South Tripura, Pin, 799141.

..... Petitioner

VERSUS

1. The State of Tripura
To be represented by Principal Secretary, Revenue Department, Govt. of Tripura, New Secretariat Complex, Kunjaban, Agartala, West Tripura, PIN 799010.
2. The Competent Authority for NH-8 (Additional District Magistrate & Collector), South Tripura, Belonia.
3. The Land Acquisition Collector, Belonia, South Tripura.
4. The Arbitrator,
(District Magistrate & Collector) Belonia, South Tripura.

.....Respondents

For the Petitioner(s)	: Ms. S. Debbarman, Advocate.
For the Respondent(s)	: Mr. Kohinoor N. Bhattacharya, G.A.

BEFORE
HON'BLE JUSTICE DR. T. AMARNATH GOUD
ORDER

01.09.2025

- [1] Heard learned counsel appearing for the respective parties.
- [2] This present writ petition is filed under Article 226 of the Constitution of India seeking the following reliefs:

“ii. Issue Rule upon the Respondents to show cause as to why a writ in the nature of Mandamus and/or order/orders and/or direction/ directions of like nature shall not be issued whereby directing the Respondents to enhance the award of compensation taking into consideration the actual market value of the acquired land at the time of acquisition i.e. Rs 60 Lakhs Per kani (Rs 60 Lakhs X 4 Rs, 2,80,00,000/-) along with statutory interest.

iii. Issue Rule upon the Respondents to show cause as to why writ in the nature of Mandamus and/or order/orders and/or direction/ directions of like nature shall not be issued directing the Respondents to refer the matter

to an Arbitrator for determining the actual value of the acquired land and structures thereon.

iv. Make the rules absolute. iv.

V. Call for records.

vi. Pass any further order/orders as this Hon'ble High Court considered fit and proper."

[3] It is seen from the sale deed dated 22.03.2005 that the petitioner is the purchaser of the subject land from Sri Shital Chandra Sarkar and Ors. (Co-Owners) on the strength of Khatian. This Court has taken a view in all such matters wherein Khatian cannot form a base for title and when the owners do not have an alienable title they cannot pass on better title by way of sale deed dated 22.03.2005.

[4] This Court is not inclined to give any positive direction in favour of the petitioner under Article 226 of the Constitution of India. Since, the matter is pending with the respondents by way of the legal notice dated 11.06.2025, issued by the petitioner's engaged counsel, it is for the respondents to look into the matter in accordance with law.

[5] In view of the pendency of the legal notice dated 11.06.2025 before the respondents, without expressing any opinion on merits of the case, this present writ petition is disposed of directing the concerned respondent(s) to look into the matter in accordance with law and decide the same within a period of one month from the date of receipt of the copy of this order and communicate the decision to the petitioner.

[6] With the above observation and direction, this present writ petition stands disposed of. As a sequel, miscellaneous application(s), pending if any, shall stand closed.

DR. T.AMARNATH GOUD,J

Paritosh

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