

HIGH COURT OF TRIPURA
_A_G_A_R_T_A_L_A_

WP(C) No.666 of 2025

1. Shri Bishu Charan Biswas, aged about 40 years, son of late Kali Charan Biswas, resident of Moharcherra, P.O. Moharcherra, P.S. Teliamura, District Khowai Tripura.

.....Petitioner

_V_E_R_S_U_S_

1. The Union of India, represented by the Secretary, Ministry of Road Transport and Highway, Central Secretariat, New Delhi.
2. The Executive Director (NHIDCL) having its Regional Office at National Highway Infrastructure Development Corporation Ltd., U.D. Bhawan, 3rd Floor, Sakuntala Road, near Rabindra Satabarshiki Bhawan, P.O. Agartala. P.S. West Agartala, Agartala, West Tripura.
3. The General Manager (Project) National Highway Infrastructure Development Corporation Ltd. A Govt. of India undertaking, PMU Office, Khowai, P.O. & P.S. Khowai, Dist: Khowai Tripura, PIN-799201.
4. The District Magistrate & Collector (Competent authority) Khowai District.

.....Respondents

For Petitioner(s)	:	Mr. A. De, Advocate. Mr. R. Hossain, Advocate. Ms. M. Ali, Advocate.
For Respondent(s)	:	Mr. B. Majumder, Deputy SGI. Mrs. P. Chakraborty, Advocate.

HON'BLE JUSTICE DR. T. AMARNATH GOUD

_F_I_N_A_L_O_R_D_E_R_

01.12.2025

Heard.

[2] The present petition has been filed under Article-226 of the Constitution of India directing the respondents for issuance of a writ of mandamus or appropriate direction of like nature. Acquisition of the land under National Highway Act for the purpose of construction of the road from Khowai to Teliamura under Khowai District. The land in question fallen under Mouja Kamalnagar, Tehsil Moharcherra, within the district Khowai, the particulars of the land are detailed in the schedule of the petition. Further for a direction to pay the compensation in respect of the damage of the building which is attached to the acquired land of the petitioner.

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

“i. Issue rule asking the respondents to show case as to why the respondents should not be directed to make the payment of compensation in respect of the damage of the building which is attached to the acquired land fallen under plot

No.2902/36801(P) of Mouja Kamalnagar, Tehsil Moharcherra, Khatian No.1274.

ii. After hearing the parties and being satisfied make the rule in terms of (i) above absolute.

iii. Pass any other order/orders, with as may be deemed fit and proper having regards to the facts and circumstances of the petition.”

[4] The petitioner's land has been acquired for the purpose of construction and widening of the road run from Khowai to Teliamura and accordingly a notification was served upon the petitioner. The petitioner was awarded in respect of the land acquired, but unfortunately no compensation whatsoever has been paid by the competent authority for the building damaged which is attached to the acquired land. As a result of which, the petitioner has been highly deprived. The petitioner filed a petition for making payment in respect of the building damaged. The competent authority directed the SDM, Teliamura to investigate over the matter. The SDM, Teliamura enquired about the matter and given the report to the competent authority. Thereafter, the competent authority directed the PW Department to assess the value of the building as per the Government norms and the PW Department assessed the value of the building and sent it to the competent authority. But till today no compensation has been paid to the petitioner. Reason has given that the building was constructed after acquisition of the land which is absolutely false and fabricated.

[5] Hence, the present petitioner has been preferred before this Court for redress.

[6] 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 request made by the petitioner on December, 2024 as expeditiously as possible considering all legal issues that would come into play. However, the competent authority before taking decision shall given an opportunity to place their respective pleadings, if any, and shall decide the matter or refer the matter to the concerned arbitrator under the statute.

[7] In that view of the matter, the present petition stands disposed of. As a sequel, miscellaneous application, pending if any, shall stands closed.

DR.T. AMARNATH GOUD, J

A. Ghosh