

**HIGH COURT OF TRIPURA  
AGARTALA**

**L.A. App.11 of 2024**

NBCC (India) Limited, (Formerly known as National  
Building Construction Corporation LTD) and another,

..... Appellant(s)

Versus

The Land Acquisition Collector and others

..... Respondent(s)

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For Appellant(s) : Ms. P. Murasingh, Advocate.

For Respondent(s) : Mr. P.S. Roy, Advocate.

Date of hearing and delivery  
of judgment and order : 17.01.2025.

Whether fit for reporting : Yes/No.

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**HON'BLE MR. JUSTICE T. AMARNATH GOUD**

**JUDGMENT & ORDER (ORAL)**

The present appeal is filed under Section 54 of the Land Acquisition Act, 1894 against the judgment and award dated 29.11.2021 in case NO. L.A.(Ref) 98 of 2019 passed by the learned Land Acquisition Judge, South Tripura Judicial District, Belonia.

**[2]** When the case is called, Ms. P. Murasingh, learned counsel on behalf of Mr. K.K. Pal, learned counsel for the appellants is present. Mr. P.S. Roy, learned counsel for respondent No.1 (LA Collector) is also present. No representation has been made on behalf of the claimant-respondents.

**[3]** It is represented by the learned counsel appearing for the parties that the subject-matter involved in the present appeal is squarely covered by

the order dated 05.09.2024 passed by this Court in LA App.72 of 2023 wherein, it has been observed that the Court below has not framed any issue on the point of title-deeds and unless the title of the claimant is established on the strength of title-deeds, one cannot claim any compensation. The khatians which were relied upon for awarding compensation to the claimants are only the entries in revenue records and on the strength of those khatians, it cannot be said that the persons in possession claiming the compensation are the real owners having alienable rights.

**[4]** In view of the above, this Court is of the view that the present matter be remanded back by setting aside the impugned order dated 29.11.2021 passed by learned Court below. The Court below shall re-examine the matter by giving opportunity to both sides for filing relevant documents and also frame additional issues on alienable right, title and interest. The claimants shall also produce any such document claiming them to be the lawful owners of the land in question by placing title deeds, if any. The claimants are also at liberty to adduce any other relevant documents supporting their claim.

**[5]** It is needless to observe that in the event if the land is acquired pertaining to the landlord, he is entitled for fair and even a generous compensation in a given circumstance, but unless it is decided that the recipient of the claim-amount is holding a valid alienable title, it cannot be said that he is entitled for claiming the compensation. An unauthorized person cannot be paid a single rupee from the public money.

**[6]** With the above observation and direction, this present appeal is remanded back and accordingly, the same is disposed of. As a sequel, stay, if any, stands vacated. Pending application(s), if any, also stands closed.

**JUDGE**

*Sabyasachi. G.*

**SABYASACHI  
GHOSH**

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