



TRHC010001702026

HIGH COURT OF TRIPURA
_A_G_A_R_T_A_L_A_

L.A. App. No.17 of 2026

1. The Member Dy. Secretary(I/C), Tripura State Council for Science and Technology, Gorkhabasti, Agartala, District West Tripura.

.....Appellant

_V_E_R_S_U_S_

1. Sri Swapan Lal Singha S/o Birendra Lal Singha, resident of Badharghat, Near Co- operative, P.S. A.D. Nagar, District West Tripura.(Attorney of Sujit Saha, resident of Srinagar, Milan Chakra, P.S- A.D Nagar, District- West Tripura.
2. The Land Acquisition Collector, West Tripura, Agartala.

.....Respondents

For Appellant(s)	:	Mr. P. Gautam, Sr. G.A. Mr. D. Sarma, Addl. G.A.
For Respondent(s)	:	Mr. A. De, Advocate. Mr. R. Hossain, Advocate.

HON'BLE JUSTICE DR. T. AMARNATH GOUD

_F_I_N_A_L_O_R_D_E_R_

14.05.2026

Heard.

[2] This is an appeal filed under Section-54 of the Land Acquisition Act, 1894 against the judgment dated 17.02.2022 passed by the Land Acquisition Judge, Court No.2, West Tripura, Agartala in connection with Misc (LA) 175 of 2016 wherein, the learned L.A. Judge enhanced the awarded amount of compensation from Rs.57,00,000/- per kani to Rs.1,50,00,000/- per kani.

[3] The fact of this case, in brief, the LA Collector, West Tripura, Agartala made a reference under Section-18 of the LA Act before the learned LA Judge, West Tripura, Agartala. The referring claimant by filing the claim statement claimed compensation at the rate of Rs.2,50,00,000/- per kani for Viti (Nal) class of land. The learned counsel appearing on behalf of the appellant i.e. requiring department had submitted that though the acquired land is a Viti (Nal) class of land but it had no potential value as claimed by the referring claimant for enhancement of compensation. Therefore, considering this fact the LA Collector has rightly

awarded a just and fair amount of compensation for the acquired land. After hearing both the parties, learned LA Judge without considering the fact that the claimant did not submit any document to prove their title enhanced the compensation Rs. 1,50,00,000/- per Kani.

[4] After hearing the Ld. LA Judge, West Tripura, Agartala after appreciation of evidence pleased to observed as under:

“8. In the result, the claim of referring claimant stands awarded in the following terms :-

The referring claimant is entitled to get Rs. 1,50,00,000/- per kani only for the acquired land. He will also get 30% solatium and 12% interest on enhanced amount of compensation computing from the date of notification u/s 4 of the L.A. Act up to the date of award by L.A. Collector or the date of taking possession of acquired land whichever is earlier as per Section 23(2) and Section 23(1-A) of the said Act respectively. The referring claimant will further get interest @ 9% per annum from the date of taking over possession for one year and thereafter @ 15% per annum after expiry of said one year till payment upon the said excess amount of compensation as per Section 28 of the L.A. Act. As per law laid down by Hon'ble Supreme Court in Mehrawal Khewaji Trust vs State of Punjab reported in 2012 AIR SCW 2822, the interest will also be counted on additional amount as awarded u/s 23 (1-A) above and upon the solatium awarded u/s 23(2) of the L.A. Act.”

[5] Being aggrieved by and dis-satisfied with the same, the present appeal has been preferred before this Court for redress.

[6] This Court has come across recently in many instances of land acquisition matters in the State of Tripura where even without examining the title deeds and also on the strength of the L.A. Collector's report, compensation has been awarded. It is strange to learn that there is no finding, any report or any document to place before this Court or before the learned L.A. Collector to show that the L.A. Collector has examined the title deeds with regard to the ownership and also the possession of the claimant. On the strength of the revenue record (i.e. the khatian), it cannot be said that the persons in possession and claiming the compensation are the real owners having alienable right. Unless there is a specific document to prove the alienable right, title and interest upon the said land, it cannot be construed that the claimants are the lawful owners of the property and are entitled for compensation.

[7] The Hon'ble Apex Court in *Vadiyala Prabhakar Rao and Others v. The Government of Andhra Pradesh and Others*, in Civil Appeal No.0 of 2026 @

Special Leave Petition (Civil) Nos.27590 of 2025, D/d 06.05.2026 has observed thus:

“16.2 A Revenue Record is not a document of title and does not confer any ownership or title upon the person whose name appears in it. Further, mutation does not create or extinguish title and has absolutely no presumptive value regarding title

[Gurunath Manohar Pavaskar v. Nagesh Siddappa Navalgund, (2007) 13 SCC 565; State of A.P. v. Star Bone Mill & Fertiliser co, (2013) 9 SCC 319; Balwan Singh v. Daulat Singh (D) By Lrs, (1997) 7 SCC 137.]

16.3 The mere acceptance of municipal or agricultural taxes, or the granting of a bank loan based on these records, does not stop the State from challenging the ownership of the land.”

[8] In view of the above observation, this Court is of the opinion that ends of justice would be met if the present matter is remitted back by setting aside the impugned order dated 17.02.2022 passed by the learned L.A. Judge, West Tripura, Agartala, and accordingly, the same is ordered. The competent authority shall re-examine the matter by giving opportunity to both sides for filing relevant documents and mark exhibits and also frame additional issues on the alienable right, title and interest. The claimants shall also produce any such document claiming to be the lawful owner of the land in question by placing title deed, if any. The claimants are also at liberty to adduce any other relevant documents in support of their claim.

[9] In that view of the matter, the present appeal is remanded back and is, accordingly, disposed of. As a sequel, miscellaneous application pending, if any, shall stand closed.

DR.T. AMARNATH GOUD, J

A. Ghosh

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