HIGH COURT OF TRIPURA
_A_G_A_R_T_A_L_A_

L.A. App. No.68 of 2025

1. The Deputy Chief Engineer (Con-2), N.F. Railway, Agartala, West Tripura.

…..Appellant

_V_E_R_S_U_S_

1. Smti. Sandhaya Jaldas, wife of late Upendra Ch. Jaldas.
2. Sri Goutam Jaldas.
3. Sri Ashim Jaldas.

Both are son of late Upendra Ch. Jaldas, all are resident of village Chalitachhari, P.O. & P.S. Manubazar, District: South Tripura, Sabroom, PIN-799143.

…..Respondent-claimant

2. Land Acquisition Collector, South Tripura, Belonia, PIN-799155.

…..Respondent

For Appellant(s)	:	Mr. B. Majumder, Deputy SGI.
For Respondent(s)	:	Mr. M. Debbarma, Addl. G.A. Mr. T. D. Majumder, Sr. Advocate. Ms. B. Debbarma, Advocate.

HON'BLE JUSTICE DR.T. AMARNATH GOUD

_F_I_N_A_L_O_ R_ D_ E_ R_

05.01.2026

Heard.

[2] This is an appeal filed under Section-54 of the Land Acquisition Act, 1894, against the judgment and award dated 20.06.2024 passed in CM L.A. 75 of 2022 by the learned Land Acquisition Judge, South Tripura, Sabroom.

[3] The facts in brief are that, as per the requisition of the appellant, the land of the respondent-claimant, was acquired by the respondent No.2 i.e. the Land Acquisition Collector, South Tripura, vide notification dated 17.09.2012 for construction of 'New Railway line from Agartala to Sabroom. Accordingly, the L.A. Collector, South Tripura, Belonia, has awarded the compensation @ Rs.84,000/- per kani for tilla class of land and Rs.84,000.00 per kani for Bastu class of land. Being aggrieved by the amount of compensation, the respondent filed an application under Section-18 of the L.A. Act, 1894, for referring the matter to the L.A. Judge, South Tripura, Sabroom, and, accordingly, the same was referred to the court of learned L.A. Judge, South Tripura, Sabroom. Thereafter the learned L.A. Judge, South Tripura, Sabroom, after hearing both the parties, by its judgment dated 20.06.2024 has allowed the claim petition enhancing the award of

compensation at the rate of Rs.1,60,000/- per kani and also enhanced the value of rubber trees.

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

[5] 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.

[6] 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 20.06.2024 passed by the L.A. Judge, South Tripura, Sabroom 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 claimant 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.

[7] 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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