



2026:THC:761

**HIGH COURT OF TRIPURA
AGARTALA
LA APP. NO.62 OF 2025**

The Deputy Chief Engineer (Con-2),
N.F. Railway, Agartala, West Tripura Pin-799003

..... APPELLANT-OPPOSITE PARTY(S)

VERSUS

1. Sri Lal Mohan Debnath
S/O Late Sudhangshu Debnath.

2. Sri Uttam Debnath.
S/O Late Sudhangshu Debnath.

3. Smt. Rekhabela Debnath.
D/O Late Sudhangshu Debnath.

4. Smt. Bindu Debnath.
D/O Late Sudhangshu Debnath.

5. Smt. Jharna Debnath.
D/O Late Sudhangshu Debnath.

All are resident of Manubazar,
P.O. & P.S.-Manubazar,
Dist.- South Tripura, Sabroom,
PIN-799143.

.....RESPONDENT-CLAIMANT(S)

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

..... RESPONDENT(S)

For the Appellant(s) : Mr. B. Majumder, Deputy SGI.

For the Respondent(s) : Mr. P. Gautam, Sr. G.A.

Date of hearing and delivery of
Judgment & Order : 22.06.2026.

Whether fit for reporting : No. _____

HON'BLE JUSTICE DR. T. AMARNATH GOUD
J U D G M E N T & O R D E R (O R A L)

1. This present appeal has been filed under Section 54 of the Land Acquisition Act, 1894, against the judgment and award dated 19.10.2023 passed in CM L.A.124 of 2022 by the learned Land Acquisition Judge, South Tripura, Sabroom.

2. The present appeal arises out of the judgment and award dated 19.10.2023 passed by the learned Land Acquisition Judge, South Tripura, Sabroom in Civil C.M. (L.A.) No.124 of 2022. The land belonging to the respondent-claimant, measuring 0.58 acres and situated at Mouja-Manubazar under Sabroom Sub-Division, was acquired for construction of the new railway line from Agartala to Sabroom pursuant to notification dated 07.01.2013. The Land Acquisition Collector awarded compensation at the rate of Rs.1,75,000/- per kani. Dissatisfied with the compensation so awarded, the respondent sought a reference under Section 18 of the Land Acquisition Act, 1894. Upon adjudication, the learned Land Acquisition Judge enhanced the market value of the acquired land at Rs.20,00,000/- per kani and held that after deduction of 40% there from, the claimant shall get , compensation at the rate of Rs.12,00,000/- per kani, along with Rs.50,000/- towards severance of the acquired land and Rs.5,000/- as costs.

3. Aggrieved by the said judgment and award, the appellant has preferred the present appeal seeking the following reliefs:-

“(i) Admit the instant appeal;

(ii) Issue notice upon the respondents to show cause as to why the impugned judgment/award dated 19.10.2023 passed in CM (L.A.) 124 of 2022 by the learned L.A. Judge, South Tripura, Sabroom shall not be set-aside;

(iii) Call for the records of case no. CM.(L.A.) 124 of 2022 from the court of the learned L.A. Judge, South Tripura, Sabroom.

AND

(iv) After hearing both the sides may kindly set aside the impugned judgment and award dated 19.10.2023 passed in CM (L.A.) 124 of 2022 by the learned L.A. Judge, South Tripura, Sabroom;

AND

(v) Pass any other order/orders and/or direction/directions as may deem fit and proper having regard to the facts and circumstances of the case.”

4. Heard Mr. B. Majumder, learned Deputy SGI appearing for the appellant as well as Mr. P. Gautam, learned Sr. G.A. appearing for the respondent L.A. Collector. This Court directs to delete the name of Mr. Kohinoor N. Bhattacharyya, learned G.A. from the cause list as conducting counsel for respondent-L.A. Collector.

5. For the reasons stated in the accompanying affidavit and also upon hearing the arguments advanced by the learned counsel appearing for the appellant, this Court is convinced that the claimants has to establish his title by producing appropriate title documents. This Court, on earlier occasions have also, taken the view that a *Khatian* is only a revenue entry and does not confer title. In the event a claimant claims compensation in respect of any land acquired on the ground that he is the owner of the property, it becomes immensely necessary for the claimant to prove ownership of the property by establishing an alienable title supported by title documents. Since no issue has been framed and decided by the learned Court below on the question of title and this particular point has not been dealt with anywhere in the impugned judgment, this Court is of the view that the matter requires reconsideration.

6. Accordingly, the present appeal stands allowed and the judgment and award dated 19.10.2023 passed by the learned Land Acquisition Judge, South Tripura, Sabroom in C.M. (L.A.) No.124 of 2022 are hereby set aside. The matter is remanded to the learned Court below

with a direction to frame an appropriate issue regarding title and thereafter proceed with the case afresh in accordance with law as per procedure.

7. As a sequel, stay if any stands vacated. Pending application if any, also stands closed.

DR. T. AMARNATH GOUD, J

Suhanjit

RAJKUMAR
SUHANJIT SINGHA

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SUHANJIT SINGHA
Date: 2026.06.24 13:13:17 +0530'