



2026:THC:762

**HIGH COURT OF TRIPURA
AGARTALA
LA APP. NO.64 OF 2025**

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

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

VERSUS

1. Sri. Prabir Chandra Roy,
Son of Late Nalini Ranjan Roy,
2. Sri. Priyatosh Roy,
Son of Late Nalini Ranjan Roy,
3. Sri. Pranab Chandra Roy,
Son of Late Nalini Ranjan Roy,
4. Smt. Prativa Roy,
D/O. Late Nalini Ranjan Roy
5. Smt. Sova Roy,
D/O. Late Nalini Ranjan Roy

All are legal heirs of late Nalini Ranjan Roy, resident of Sukanta Palli,
Manubazar, P.O. & P.S.- Manubazar, -Sabroom, District- South Tripura-
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 18.07.2023 passed in CM L.A. 20 of 2022 by the learned Land Acquisition Judge, South Tripura, Sabroom.

2. As per the requisition of the appellant, the land of the respondent-claimant, was acquired by the respondent no.1 i.e. the Land Acquisition Collector, South Tripura, vide notification dated 07.01.2013 for construction of '*New Railway line from Agartala to Sabroom*'. Accordingly, the L.A. Collector, South Tripura, Sabroom, has awarded the compensation @ Rs. 7,20,000/- per kani for the land acquired and also enhanced the value of Rubber trees from Rs.900/- to 4000/- per rubber trees.

3. 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 18.07.2023 has allowed the claim petition enhancing the award of compensation.

4. 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 18.07.2023 passed in CM L.A. 20 of 2022 by the learned L.A. Judge, South Tripura, Belonia shall not be set-aside;

(iii) Call for the records of case no CM L.A. 20 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 18.07.2023 passed in CM L.A. 20 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.

5. 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.

6. 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.

7. Accordingly, the present appeal stands allowed and the judgment and award dated 18.07.2023 passed by the learned Land Acquisition Judge, South Tripura, Sabroom in case No. CM L.A. 20 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.

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

DR. T. AMARNATH GOUD, J