

**HIGH COURT OF TRIPURA
AGARTALA
WP(C) NO.26 OF 2026**

1. Smt. Sutapa Goswami (Bhattacharjee) Age 55year
W/O- Sri Mukunda Bhattacharjee, R/O- Dhajanagar
P.O Gakulpur, P.S.- R.K. Pur, District-Gomati, Tripura.

Presently residing at Near VIP International Hotel.
P.O- Ujan abhoynagar, P.S- NCC, Dist- West Tripura.

2. Smt. Gopa Goswami,
W/O- Sri Subhash Chandra Goswami,
R/O- Uttar Paharpur, P.O& P.S- Jatrapur,
Sonamura, Sepahijala Tripura. Pin No. 799132.

3. Smt. Supta Goswami Chakraborty,
W/O- Sri Amalesh Chakraborty,
R/O- Near VIP International Hotel,
P.O- Ujan Abhoynagar, P.S- NCC,
Agartala West Tripura. Pin No. 799005.

4. Smt. Champa Goswami,
W/O- Sri Chandralal Goswami,
R/O- Dhajanagar, P.O Gakulpur P.S.- R.K. Pur,
Udaipur, District-Gomati, Tripura.

.....Petitioner(s)

VERSUS

1. The Land Acquisition Collector, District:- Gomati
Tripura Udaipur, P O: Radhakishorepur - 799120;

2. The Deputy Chief Engineer, Construction 1, NF
Railway, Agartala -799001, Tripura

.....Respondent(s)

For Petitioner(s)	: Mr. A. Acharjee, Advocate. Ms. A. Dey, Advocate. Ms. M. Basu, Advocate. Ms. S. Chowdhury, Advocate.
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For Respondent(s)	: Mr. P. Gautam, Sr. G.A. Mr. B. Majumder, Deputy SGI.
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Date of hearing and delivery
of judgment and order : 24.04.2026.

Whether fit for reporting : NO.

HON'BLE JUSTICE DR. T. AMARNATH GOUD

JUDGMENT & ORDER (ORAL)

1. This present writ petition has been filed under Article 226 of the Constitution of India for enforcement of the constitutional and fundamental rights of the petitioners as guaranteed under Articles 14, 16, 21, 300-A and 311 of the Constitution of India, as well as for enforcement of the legal right conferred under Section 28A of the Land Acquisition Act, 1894. The petitioners have further prayed for issuance of a writ in the nature of Certiorari, or any other appropriate writ, direction or order, calling for and transmitting the relevant records pertaining to the subject matter of the present case for the purpose of rendering substantial and conscionable justice. The challenge in the present writ petition is directed against the order dated 22.05.2025 passed by the learned Land Acquisition Collector, Gomati District, Udaipur, whereby the prayer of the petitioners for enhancement of compensation under Section 28A of the Land Acquisition Act, 1894 in Case No. 01/2022 was rejected, despite the Award dated 10.12.2022 passed by the Hon'ble High Court of Tripura in LA App. No. 73 of 2017 (The Dy. Chief Engineer (Construction), NF Railway vs. Rina Bal).

2. Heard Ms. A. Dey, learned counsel appearing for the appellants, as well as Mr. P. Gautam, learned Senior Government Advocate, and Mr. B. Majumder, learned Deputy Solicitor General of India, appearing for the respondents.

3. During the course of arguments, Mr. A. Acharjee, learned counsel, along with Ms. A. Dey, learned counsel appearing for the appellants, placed on record an original document in Bengali, claimed to be a sale deed. The same has not been objected to by Mr. P. Gautam, learned Senior Government Advocate appearing for the respondents. After hearing the learned counsel for the parties, this Court is of the considered view that since the issue of ownership has neither been

decided nor framed by the Court below, the impugned order passed by the Court below is liable to be set aside. Accordingly, the matter is remanded to the Court below with a direction to afford the appellants an opportunity to produce all relevant documents in support of their claim and to adduce evidence. The Court below shall, after giving due opportunity to both sides, examine the matter in accordance with law and pass a reasoned order, considering the case of the claimants for grant of fair compensation, subject to their eligibility.

4. As a sequel, the interim order, if any, stands vacated. Pending application(s), if any, also stand disposed of.

DR. T. AMARNATH GOUD, J

Suhanjit

RAJKUMAR
SUHANJIT SINGHA

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SUHANJIT SINGHA
Date: 2026.04.24 14:46:34 +05'30'

