

**HIGH COURT OF TRIPURA
AGARTALA**

IA No.1 of 2018
In LA APP No.88 of 2013

Smt. Kalabi Chakma and Ors.,
Legal heirs of late Janakmukhi Chakma

-----Applicant(s)

Versus

The Officer Commanding, 112 RCC, GREF,
C/O 99 APO and Anr.

-----Respondent(s)

For Applicant(s) : Mr. D.K. Biswas, Adv.

For Respondent(s) : Mr. H. Deb, ASGI

HON'BLE MR. JUSTICE S. TALAPATRA

Order

03/07/2018

Heard Mr. D.K. Biswas, learned counsel appearing for the appellant-applicants.

This is an application for withdrawal of the amount that has been deposited to satisfy the award. The appellant, Officer Commanding, 112 RCC, GREF has deposited a sum of Rs.6,95,358/- (six lakh ninety-five thousand three hundred & fifty-eight) by the cheque bearing No.509173 dated 08.11.2017 on SBI. It has been asserted that the respondent No.1 namely Smt. Janakmukhi Chakma has expired on 03.02.2014 leaving behind the other respondents as her legal heirs. It is not in dispute that Janakmukhi Chakma was one of the co-sharers of the acquired land.

Mr. Biswas, learned counsel appearing for the applicant has submitted that the other co-sharer-respondents have constituted Smt. Punnyabati Chakma @ Punya Pati Chakma as their constituted

attorney to represent them before the Registry in the process of transferring their share.

Mr. H. Deb, learned ASGI appearing for the appellant-respondent No.1 has submitted that the respondent does not have any opposition.

Unless the succession certificate is produced, the share of Janakmukhi Chakma cannot be disbursed. The remaining shares may be disbursed. Each share be transferred to the individual account of the co-sharer-referring claimants. For this purpose the said attorney may represent them in terms of the said power of attorney.

Having observed thus, this petition stands allowed and disposed of.



JUDGE