

MC 3325/2013

BEFORE

HON'BLE MR. JUSTICE N. CHAUDHURY

Heard Mr. S. K. Medhi, learned counsel for the applicant who has prima facie established that compensation amount has been assessed by the applicant taking into account the available 167 rubber trees (Not 161 as stated in his petition) which are two years old and the values of the dwelling houses of the petitioners also taken into consideration.

None appears for the opposite party No. 1 in the miscellaneous case.

The annexure G of the MC prima facie shows that 167 rubber trees have been evaluated by the present applicant. It also shows from same Annexure that the house building of the writ petitioner has also been evaluated. So prima facie, the purpose of passing the interim order by this Court has already been satisfied and accordingly the said interim order restraining the present applicant from proceeding with the construction of the land needs to be vacated. Accordingly, the interim order dated 02.04.2012 is vacated. It is made clear that the writ petitioner shall be at liberty to approach the statutory authority for the purpose of enhancement of the valuation under Section 10 read with 16 of the Telegraph Act 1885, if so advised.

Miscellaneous case disposed of.