

Party Name : KHALEK MIAH Vs THE STATE OF TRIPURA

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THE HONBLE MR. JUSTICE S.TALAPATRA

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Heard Mr. A. Pal, learned counsel appearing for the petitioner as well as Mr. T.D. Majumder, learned Govt. Advocate appearing for the respondents. Mr. Pal, learned counsel appearing for the writ petitioner in W.P.(C) No.53/2014 has submitted that the way the submission of Mr. T.D. Majumder, learned Govt. Advocate has been recorded in the order dated 25.04.2014 passed in W.P.(C) No.53/2014 does not reflect the correct position of fact. He has submitted that the petitioner has received the compensation to the extent of `72,675 against the Notice No.250, dated 12.03.2011, but he has not received any compensation in respect of the Notice No.156 dated 11.07.2011, Notice No.157 dated 11.07.2011 and Notice No.704 dated 15.11.2011. Mr. T.D. Majumder, learned Govt. Advocate appearing for the respondents has not contested that position of fact. In view of this, the statement as recorded for Mr. Datta Majumder, learned Govt. Advocate is required to be corrected. Where the lines, "However, the petitioner has received the awarded compensation without raising any objection" appear, be substituted by "However, the petitioner has received the compensation as awarded against Notice No.250, dated 12.03.2011 to the extent of `72,675 without raising any objection". Further, after the paragraph starting with "Be that as it may" and ended with "from the date of receipt of the certified copy from the Registry", the following paragraph be inserted in the judgment and order dated 25.04.2014 passed in W.P.(C) No.53/2014 : "So far the compensation in respect of Notice No.156 dated 11.07.2011, Notice No.157 dated 11.07.2011 and Notice No.704 dated 15.11.2011 are concerned, if the assessment is made, shall be deposited in the court of the District Judge, South Tripura, Udaipur, forthwith and the District Judge, South Tripura, Udaipur, after receipt of such deposit, shall disburse the same after proper identification of the petitioner or other claimant". This order shall form part of the order dated 25.04.2014 passed in W.P.(C) No.53/2014. Accordingly, this petition stands disposed of.