

**HIGH COURT OF TRIPURA
AGARTALA**

L.A. App. No. 33 of 2015

Union of India

----Appellant(s)

Versus

Bijoy Bhusan Roy & Ors.

----Respondent(s)

For Appellant(s) : Mr. A. R. Barman, CGC

For Respondent(s) : None

**HON'BLE MR. JUSTICE S. TALAPATRA
Order**

27/03/2018

This is an appeal under Section-54 of the L.A. Act, 1894 against the judgment and award dated 28.09.2013, delivered in Civil. Misc (LA) 04 of 2013 by the Land Acquisition Judge, North Tripura, Judicial District, Kailasahar.

It appears from the memorandum of appeal that the principal ground as projected is that the acquired land has been valued at Rs. 1,60,000/- per kani by the L.A. Judge. According to the appellant, the said assessment is quite illegal and perverse, but why the said assessment is illegal and perverse, no ground has been made out in the entire appeal.

This Court have carefully gone through the impugned judgment and award dated 28.09.2013 and finds that at para-4 of the said judgment, the L.A. Judge having regard to **Mehrawal Khewaji Trust Faridkot and Others v. State of Punjab & Others**, reported in **2012 SCCR 604** has observed that the said rate has been gathered from the rate as has been collected by the L.A. Collector vide sale

deed No. 1-561 and 1-378, but which was not considered by the L.A. Collector.

As such, this Court does not find any infirmity, inasmuch as the Apex Court in **Mehrawal Khewaji Trust Faridkot** (*supra*) has categorically laid down the law that the sale deed which contains the best rate, shall be given to the land losers.

Having observed thus, this Court does not find any merit in this in this appeal. Accordingly, the same is dismissed. Draw the decree accordingly.

JUDGE