

**HIGH COURT OF TRIPURA
AGARTALA**

L.A. APP NO.30/2017

1. The State of Tripura
Represented by the Secretary to the
Government of Tripura,
Public Works Department (R & B),
Secretariat Complex, Agartala, West Tripura-799010.
2. The Chief Engineer,
Public Works Department (R & B),
Secretariat Complex, Agartala,
West Tripura-799010.
3. The Executive Engineer,
Public Works Department (R & B),
Capital Complex Division, Kunjaban Extension,
P.O. – Kunjaban, Agartala, West Tripura.

----Appellant(s)

Versus

Shri Radharaman Das,
S/o. Late Agni Kumar Das,
79-Tilla, P.O. – Kunjaban, P.S. – Capital Complex,
Agartala, West Tripura.

----Respondent(s)

For Appellant(s) : Mr. S.M. Chakraborty, Sr. Advocate.
Ms. P. Sen, Advocate.

For Respondent(s) : Ms. P. Dhar, Advocate.

L.A. APP NO.88/2017

1. The State of Tripura
Represented by the Secretary to the
Government of Tripura,
Public Works Department (R & B),
Capital Complex, Agartala, P.O. – Kunjaban,
District – West Tripura.
2. Chief Engineer,
Public Works Department (R & B),
Capital Complex Division, Kunjaban Extension,
P.O. – Kunjaban, Agartala, District – West Tripura.

3. The Executive Engineer,
Public Works Department (R & B),
Capital Complex Division, Kunjaban Extension,
P.O. – Kunjaban, Agartala, District – West Tripura.

-----Appellant(s)

Versus

1. (a) Smt. Manju Das Choudhury,
W/o. Late Bhabatosh Das Choudhury,
1. (b) Smt. Tapati Das Choudhury (Paul),
W/o. Sri Bishnu Pada Paul,
1. (c) Smt. Aparna Das Choudhury (Saha),
W/o. Sri Sankar Saha,
1. (d) Smt. Anima Das Choudhury (Bhattacharjee),
W/o. Rupak Bhattacharjee.
(All are the daughters of Late Bhabatosh Das Choudhury),
1. (e) Sri Ashim Das Choudhury,
S/o. Late Bhabatosh Das Choudhury.

All are the residents of Village- North Jogendranagar,
Near Mahadeb Bari, Agartala, Pin – 799004,
District – West Tripura.

2. (a) Smti. Sankar Das Choudhury,
W/O. Late Paritosh Das Choudhury.
2. (b) Sri Manimoy Das Choudhury,
S/O. Late Paritosh Das Choudhury.
3. Sri Priyatosh Das Choudhury,
S/O. Late Manindra Chandra Das Choudhury.
4. Smti Alaka Das Choudhury,
W/O. Rabindra Datta.
5. Smti Debi Das Choudhury,
W/O. Narayan Deb.
6. (a) Sri Nandan Kumar Choudhury,
H/O. Late Bulti Das Choudhury.
6. (b) Sri Deepjoy Choudhury,

S/O. Nandan Choudhury.

6. (c) Smti. Nandini Choudhury,
D/O. Nandan Choudhury.

All are resident of Jogendranagar,
P.S. – East Agartala, District – West Tripura.

7. Smt. Susmita Das Choudhury (Sarkar),
W/O. Late Prantosh Das Choudhury.

8. Sri Ankur Das Choudhury,
S/O. Late Prantosh Das Choudhury.

Both are resident of Jogendranagar,
P.O. – Jogendranagar, P.S. – East Agartala,
District – West Tripura.

9. The Land Acquisition Collector, West Tripura, Agartala.

-----Respondent(s)

For Appellant(s) : Mr. P. Saha, Advocate.

For Respondent(s) : Mr. K.N. Bhattacharjee, Sr. Advocate.
Mr. Ranjit Debnath, Advocate.

L.A. APP NO.93/2017

1. The State of Tripura
Represented by the Secretary to the
Government of Tripura,
Public Works Department (R & B),
New Secretariat Complex, Agartala,
P.O. – Kunjaban, District – West Tripura.
2. The Chief Engineer,
Public Works Department (R & B),
New Secretariat Complex, Agartala,
P.O. – Kunjaban, District – West Tripura.
3. The Executive Engineer,
Public Works Department (R & B),
Capital Complex Division, P.O. – Kunjaban,
District – West Tripura.

-----Appellant(s)

Versus

1. Sri Dipak Kr. Biswas,
S/O. Late Narendra Kr. Biswas,
Ramnagar Road No.2, P.S. – West Agartala,
District – West Tripura.
2. The Land Acquisition Collector,
West Tripura, Agartala.

-----Respondent(s)

For Appellant(s) : None.

For Respondent(s) : Mr. D.K. Biswas, Advocate.
Mr. Ranjit Debnath, Advocate.

L.A. APP NO.31/2017

1. The State of Tripura
Represented by the Secretary,
Public Works Department,
Government of Tripura, Capital Complex,
P.O. – Kunjaban, Agartala.
2. The Chief Engineer,
Public Works Department (R & B),
Government of Tripura, Capital Complex,
P.O. – Kunjaban, Agartala.
3. Executive Engineer (PWD),
Public Works Department (R & B),
Capital Complex Division,
Kunjaban Extention, P.O. – Kunjaban,
Agartala, District – West Tripura.

-----Appellant(s)

Versus

- (i) Deleted
- (ii) Smti. Anju Sarkar
- (iii) Smti. Rekha Sarkar
- (iv) Sri Ratan Sarkar
- (v) Sri Rabindra Sarkar
- (vi) Sri Ramu Sarkar
- (vii) Smti. Gopa Sarkar

All sons and daughters of Ramesh Chandra Sarkar,
Ujan Abhoynagar, P.S. – East Agartala,
District – West Tripura.

----Respondent(s)

For Appellant(s) : Mr. S.M. Chakraborty, Sr. Advocate.
Ms. P. Sen, Advocate.

For Respondent(s) : Mr. K.N. Bhattacharjee, Sr. Advocate.
Mr. D.K. Biswas, Advocate.
Mr. Ranjit Debnath, Advocate.

L.A. APP NO.32/2017

1. The State of Tripura
Represented by the Secretary,
Public Works Department,
Government of Tripura, Capital Complex,
P.O. – Kunjaban, Agartala.
2. The Chief Engineer,
Public Works Department (R & B),
Government of Tripura, Capital Complex,
P.O. – Kunjaban, Agartala.
3. Executive Engineer (PWD),
Public Works Department (R & B),
Capital Complex Division,
Kunjaban Extension, P.O. – Kunjaban,
Agartala, District – West Tripura.

----Appellant(s)

Versus

Smti. Sumati Das (Singha Roy),
W/O. Babul Singha Roy,
Kunjaban, P.S. – East Agartala,
District – West Tripura.

----Respondent(s)

For Appellant(s) : Mr. S.M. Chakraborty, Sr. Advocate.
Ms. P. Sen, Advocate.

For Respondent(s) : Mr. K.N. Bhattacharjee, Sr. Advocate.
Mr. Ranjit Debnath, Advocate.

L.A. APP NO.33/2017

1. The State of Tripura
Represented by the Secretary,
Public Works Department,
Government of Tripura, Capital Complex,
P.O. – Kunjaban, Agartala.

2. The Chief Engineer,
Public Works Department (R & B),
Government of Tripura, Capital Complex,
P.O. – Kunjaban, Agartala.

3. Executive Engineer (PWD),
Public Works Department (R & B),
Capital Complex Division,
Kunjaban Extension, P.O. – Kunjaban,
Agartala, District – West Tripura.

-----Appellant(s)

Versus

1. (a) Sri Ratan Sarkar,
S/O. Late Ramesh Chandra Sarkar,
Resident of Ujan Abhoynagar,
P.O. – Ujan Abhoynagar, P.S. – East Agartala,
District – West Tripura, Pin – 799005.

1. (b) Sri Rabindra Sarkar,
S/O. Late Ramesh Chandra Sarkar,
Resident of Ujan Abhoynagar,
P.O. – Ujan Abhoynagar, P.S. – East Agartala,
District – West Tripura, Pin – 799005.

1. (c) Sri Ramu Sarkar,
S/O. Late Ramesh Chandra Sarkar,
Resident of Ujan Abhoynagar,
P.O. – Ujan Abhoynagar, P.S. – East Agartala,
District – West Tripura, Pin – 799005.

1. (d) Smt. Anju Sarkar (Chakraborty),
W/O. Sri Samar Ranjan Chakraborty,
D/O. Late Ramesh Chandra Sarkar,
Resident of Malanchaniwas,
P.O. – Kunjaban, P.S. – East Agartala,
District – West Tripura, Pin – 799005.

1. (e) Smti Rekha Sarkar (Nandi),
W/O. Sri Bijan Krishna Nandi,

D/O. Late Ramesh Chandra Sarkar,
Resident of Melagarh, Sonamura,
West Tripura.

1. (f) Smti Gopa Sarkar (Das),
W/O. Sri Montosh Chandra Das,
D/O. Late Ramesh Chandra Sarkar,
Resident of Teliamura (Near Old TRTC Bus Stand),
P.S. Teliamura, District – West Tripura.

-----Respondent(s)

For Appellant(s) : Mr. S.M. Chakraborty, Sr. Advocate.
Ms. P. Sen, Advocate.

For Respondent(s) : Mr. K.N. Bhattacharjee, Sr. Advocate.
Mr. D.K. Biswas, Advocate.
Mr. Ranjit Debnath, Advocate.

L.A. APP NO.34/2017

1. The State of Tripura
Represented by the Secretary,
Public Works Department,
Government of Tripura, Capital Complex,
P.O. – Kunjaban, Agartala.

2. The Chief Engineer,
Public Works Department (R & B),
Government of Tripura, Capital Complex,
P.O. – Kunjaban, Agartala.

3. Executive Engineer (PWD),
Public Works Department (R & B),
Capital Complex Division,
Kunjaban Extension, P.O. – Kunjaban,
Agartala, District – West Tripura.

-----Appellant(s)

Versus

Smti. Bijan Majumder,
W/O. Sri Biman Majumder,
Abhoynagar, P.S. – East Agartala,
District – West Tripura.

-----Respondent(s)

For Appellant(s) : Mr. S.M. Chakraborty, Sr. Advocate.
Ms. P. Sen, Advocate.

For Respondent(s) : Mr. K.N. Bhattacharjee, Sr. Advocate.
Mr. Ranjit Debnath, Advocate.

L.A. APP NO.35/2017

1. The State of Tripura

Represented by the Secretary,
Public Works Department,
Government of Tripura, Capital Complex,
P.O. – Kunjaban, Agartala.

2. The Chief Engineer,

Public Works Department (R & B),
Government of Tripura, Capital Complex,
P.O. – Kunjaban, Agartala.

3. Executive Engineer (PWD),

Public Works Department (R & B),
Capital Complex Division,
Kunjaban Extension, P.O. – Kunjaban,
Agartala, District – West Tripura.

-----Appellant(s)

Versus

Smti. Laxmi Das (Ghosh),
W/O. Late Santosh Ghosh,
D/O. Late Mukunda Chandra Das,
Nandannagar, P.S. – East Agartala,
District – West Tripura.

-----Respondent(s)

For Appellant(s) : Mr. S.M. Chakraborty, Sr. Advocate.
Ms. P. Sen, Advocate.

For Respondent(s) : Mr. D.K. Biswas, Advocate.

L.A. APP NO.36/2017

1. The State of Tripura

Represented by the Secretary,
Public Works Department,
Government of Tripura, Capital Complex,
P.O. – Kunjaban, Agartala.

2. The Chief Engineer,
Public Works Department (R & B),
Government of Tripura, Capital Complex,
P.O. – Kunjaban, Agartala.

3. Executive Engineer (PWD),
Public Works Department (R & B),
Capital Complex Division,
Kunjaban Extension, P.O. – Kunjaban,
Agartala, District – West Tripura.

-----Appellant(s)

Versus

(i) Deleted.

(ii) Sri Manik Dhar,

(iii) Sri Gour Narayan Dhar,

(iv) Smti. Chitra Dhar,

(v) Smti. Anuradha Dhar.

All sons and daughters of Sukhendra Narayan Dhar,
Jaynagar, Dashamighat, P.S. – West Agartala,
District – West Tripura.

-----Respondent(s)

For Appellant(s) : Mr. S.M. Chakraborty, Sr. Advocate.
Ms. P. Sen, Advocate.

For Respondent(s) : Mr. S. Datta, Advocate.

L.A. APP NO.38/2017

1. The State of Tripura
Represented by the Secretary,
Public Works Department,
Government of Tripura, Capital Complex,
P.O. – Kunjaban, Agartala.

2. The Chief Engineer,
Public Works Department (R & B),
Government of Tripura, Capital Complex,
P.O. – Kunjaban, Agartala.

3. Executive Engineer (PWD),
Public Works Department (R & B),

Capital Complex Division,
Kunjaban Extension, P.O. – Kunjaban,
Agartala, District – West Tripura.

----Appellant(s)

Versus

Smti. Kalyani Bhattacharjee,
W/O. Ajit Kumar Bhattacharjee,
Kunjaban, P.S. – East Agartala,
District – West Tripura.

----Respondent(s)

For Appellant(s) : Mr. S.M. Chakraborty, Sr. Advocate.
Ms. P. Sen, Advocate.

For Respondent(s) : Mr. K.N. Bhattacharjee, Sr. Advocate.
Mr. Ranjit Debnath, Advocate.

L.A. APP NO.39/2017

1. The State of Tripura
Represented by the Secretary,
Public Works Department,
Government of Tripura, Capital Complex,
P.O. – Kunjaban, Agartala.
2. The Chief Engineer,
Public Works Department (R & B),
Government of Tripura, Capital Complex,
P.O. – Kunjaban, Agartala.
3. Executive Engineer (PWD),
Public Works Department (R & B),
Capital Complex Division,
Kunjaban Extension, P.O. – Kunjaban,
Agartala, District – West Tripura.

----Appellant(s)

Versus

1. Smti. Jyoti Bala Saha,
W/O. Late Surendra Kumar Saha.
2. Shri Dharendra Kumar Saha,
S/O. Late Surendra Kumar Saha.
3. Shri Ramendra Saha,

S/O. Late Surendra Kumar Saha.

4. Shri Khagendra Saha,
S/O. Late Surendra Kumar Saha.

5. Shri Ahindra Kumar Saha,
S/O. Late Surendra Kumar Saha.

6. Shri Ashish Kumar Saha,
S/O. Late Surendra Kumar Saha.

7. Smti. Manjushri Saha,
W/O. Shankar Saha,
D/O. Late Surendra Kumar Saha.

All are residents of Uttar Jogendra Nagar,
Madhyapara, P.O. – Jogendranagar,
P.S. – East Agartala, District – West Tripura.

-----Respondent(s)

For Appellant(s) : Mr. S.M. Chakraborty, Sr. Advocate.
Ms. P. Sen, Advocate.

For Respondent(s) : None.

L.A. APP NO.86/2017

1. The State of Tripura,
Represented by the Secretary to the
Government of Tripura, Public Works Department (R & B),
Capital Complex, Agartala, P.O. – Kunjaban,
District – West Tripura.

2. Chief Engineer,
Public Works Department (R & B),
Capital Complex Division, Kunjaban Extension,
P.O. – Kunjaban, Agartala, District – West Tripura.

3. The Executive Engineer,
Public Works Department (R & B),
Capital Complex Division,
Kunjaban Extension, P.O. – Kunjaban,
Agartala, District – West Tripura.

-----Appellant(s)

Versus

1. Shri Gouranga Chandra Paul,

S/O. Late Kanai Chandra Paul,
Debram Thakur Para, Nandannagar,
P.S. N.C.C., District – West Tripura.

2. The Land Acquisition Collector,
West Tripura, Agartala.

-----Respondent(s)

For Appellant(s) : None.

For Respondent(s) : Mr. K.N. Bhattacharjee, Sr. Advocate.
Mr. Ranjit Debnath, Advocate.

L.A. APP NO.87/2017

1. The State of Tripura,
Represented by the Secretary to the
Government of Tripura, Public Works Department (R & B),
New Secretariat Complex, Agartala, P.O. – Kunjaban,
District – West Tripura.

2. The Chief Engineer,
Public Works Department (R & B),
New Secretariat Complex, Agartala,
P.O. – Kunjaban, District – West Tripura.

3. The Executive Engineer,
Public Works Department (R & B),
Capital Complex Division,
P.O. – Kunjaban,
District – West Tripura.

-----Appellant(s)

Versus

1. Shri Keshab Chandra Banik,
S/O. Sudhanna Kumar Banik,
Krishnanagar, P.S. – West Agartala,
District – West Tripura.

2. The Land Acquisition Collector,
West Tripura, Agartala.

-----Respondent(s)

For Appellant(s) : None.

For Respondent(s) : Mr. K.N. Bhattacharjee, Sr. Advocate.
Mr. Ranjit Debnath, Advocate.

L.A. APP NO.89/2017

1. The State of Tripura,
Represented by the Secretary to the
Government of Tripura, Public Works Department (R & B),
Capital Complex, Agartala, P.O. – Kunjaban,
District – West Tripura.
2. Chief Engineer,
Public Works Department (R & B),
Capital Complex Division, Kunjaban Extension,
P.O. – Kunjaban, Agartala, District – West Tripura.
3. The Executive Engineer,
Public Works Department (R & B),
Capital Complex Division, Kunjaban Extension,
P.O. – Kunjaban, Agartala,
District – West Tripura.

-----Appellant(s)

Versus

1. Smti Monmohini Debi,
W/O. Late Surendra Kumar Debnath,
Abhoynagar, P.S. – East Agartala,
District – West Tripura.
2. The Land Acquisition Collector,
West Tripura, Agartala.

-----Respondent(s)

For Appellant(s) : None.

For Respondent(s) : Mr. D.K. Biswas, Advocate.
Mr. G.K. Nama, Advocate.

L.A. APP NO.90/2017

1. The State of Tripura,
Represented by the Secretary to the
Government of Tripura, Public Works Department (R & B),
New Secretariat Complex, Agartala, P.O. – Kunjaban,
District – West Tripura.
2. The Chief Engineer,
Public Works Department (R & B),
New Secretariat Complex, Agartala,
P.O. – Kunjaban, District – West Tripura.

3. The Executive Engineer,
Public Works Department (R & B),
Capital Complex Division,
P.O. – Kunjaban,
District – West Tripura.

-----Appellant(s)

Versus

1. Smt. Laxmi Dhanuk,
W/O. Late Ram Ashiory Dhanuk,
Bhallukia Tilla, P.S. – East Agartala,
District – West Tripura.

2. The Land Acquisition Collector,
West Tripura, Agartala.

-----Respondent(s)

For Appellant(s) : None.

For Respondent(s) : Mr. K.N. Bhattacharjee, Sr. Advocate.
Mr. Ranjit Debnath, Advocate.

L.A. APP NO.91/2017

1. The State of Tripura,
Represented by the Secretary to the
Government of Tripura, Public Works Department (R & B),
Capital Complex, Agartala, P.O. – Kunjaban,
District – West Tripura.

2. Chief Engineer,
Public Works Department (R & B),
Capital Complex Division, Kunjaban Extension,
P.O. – Kunjaban, Agartala, District – West Tripura.

3. The Executive Engineer,
Public Works Department (R & B),
Capital Complex Division, Kunjaban,
P.O. – Kunjaban, Agartala,
District – West Tripura.

-----Appellant(s)

Versus

1. Shri Gopal Chandra Dey,
S/O. Late Indra Kumar Dey,
Kunjaban, P.O. - Kunjaban, P.S. – East Agartala,
Agartala, District – West Tripura.

2. The Land Acquisition Collector,
West Tripura, Agartala.

----Respondent(s)

For Appellant(s) : None.

For Respondent(s) : Mr. K.N. Bhattacharjee, Sr. Advocate.
Mr. Ranjit Debnath, Advocate.

L.A. APP NO.92/2017

1. The State of Tripura,
Represented by the Secretary to the
Government of Tripura, Public Works Department (R & B),
New Secretariat Complex, Agartala, P.O. – Kunjaban,
District – West Tripura.

2. The Chief Engineer,
Public Works Department (R & B),
New Secretariat Complex, Agartala,
P.O. – Kunjaban, District – West Tripura.

3. The Executive Engineer,
Public Works Department (R & B),
Capital Complex Division, P.O. – Kunjaban,
District – West Tripura.

----Appellant(s)

Versus

1. Shri Rakhal Chandra Dey,
S/O. Late Indra Kumar Dey,
Ujan Abhoynagar, P.S. – East Agartala,
District – West Tripura.

2. The Land Acquisition Collector,
West Tripura, Agartala.

----Respondent(s)

For Appellant(s) : None.

For Respondent(s) : Mr. K.N. Bhattacharjee, Sr. Advocate.
Mr. Ranjit Debnath, Advocate.

L.A. APP NO.94/2017

1. The State of Tripura,
Represented by the Secretary to the
Government of Tripura, Public Works Department (R & B),
New Secretariat Complex, Agartala, P.O. – Kunjaban,
District – West Tripura.

2. The Chief Engineer,
Public Works Department (R & B),
New Secretariat Complex, Agartala,
P.O. – Kunjaban, District – West Tripura.

3. The Executive Engineer,
Public Works Department (R & B),
Capital Complex Division, P.O. – Kunjaban,
District – West Tripura.

-----Appellant(s)

Versus

1. Sri Nani Gopal Bhowmik,
S/O. Late Kalidas Bhowmik,
Indranagar, P.S. – East Agartala,
District – West Tripura.

2. The Land Acquisition Collector,
West Tripura, Agartala.

-----Respondent(s)

For Appellant(s) : None.

For Respondent(s) : Mr. K.N. Bhattacharjee, Sr. Advocate.
Mr. Ranjit Debnath, Advocate.

L.A. APP NO.95/2017

1. The State of Tripura,
Represented by the Secretary to the
Government of Tripura, Public Works Department (R & B),
Capital Complex, Agartala, P.O. – Kunjaban,
District – West Tripura.

2. Chief Engineer,
Public Works Department (R & B),
Capital Complex Division, Kunjaban Extension,
P.O. – Kunjaban, Agartala, District – West Tripura.

3. The Executive Engineer,
Public Works Department (R & B),
Capital Complex Division, Kunjaban Extension,
P.O. – Kunjaban, Agartala,
District – West Tripura.

-----Appellant(s)

Versus

1. (a) Sri Sankar Chakraborty,
S/O. Lt. Gouranga Chakraborty,

(b) Sri Ratan Chakraborty,
S/O. Lt. Gouranga Chakraborty,

(c) Sri Chandan Chakraborty,
S/O. Lt. Gouranga Chakraborty,

(d) Sri Nandan Chakraborty,
S/O. Lt. Gouranga Chakraborty,

(e) Sri Jiban Chakraborty,
S/O. Lt. Gouranga Chakraborty,

All residents of Nandan Nagar, P.S. – NCC,
District – Tripura West, Pin – 799006.

(f) Smt. Rama Chakraborty,
W/O. Sri Chandan Chakraborty,
D/O. Lt. Gouranga Chakraborty,
Office Tilla, Bishalghar, P.S. – Bishalghar,
District – Sepahijala Tripura.

(g) Smt. Tanusree Goswami @ Uma Chakraborty,
W/O. Sri Alok Goswami,
D/O. Lt. Gouranga Chakraborty,
Radhanagar, P.S. – West Agartala,
District – West Tripura.

(h) Smt. Rina Chakraborty,
W/O. Sri Sudhir Chakraborty,
D/O. Lt. Gouranga Chakraborty,
S.D.O Chowmuhani, Nandan Nagar,
P.S. – NCC, District – Tripura West.

2. (a) Smt. Bijaya Prava Bhowmik,
W/O. Sri Kumar Ranjan Bhowmik,
Nandannagar, P.S. – NCC,
District – Tripura West.

2. (b) Sri Dinesh Chandra Debnath,
S/O. Pyari Mohan Debnath, Jagatpur,
Near Abhoynagar School, P.S. – NCC,
District – Tripura West.

2. (c) Smt. Hiran Prava Debnath,
W/O. Sri Monoranjan Debnath, Amarpur,
Chandipara, Jail Road, P.S. – Birganj,
District – South Tripura,
Presently C/O Sri Ratan Debnath,
Krishnanagar, Nutanpalli, P.S. – Agartala,
District – Tripura West.

2. (d) Sri Rabindra Debnath,
S/O. Lt. Pyari Mohan Debnath, Jagatpur,
Near Abhoynagar School, P.S. – NCC,
District – Tripura West.

2. (e) Smt. Benu Rani Debnath,
W/O. Harekrishna Debnath, Anandanagar,
Shyamaprasad, P.S. Sreenagar,
District – West Tripura.

2. (f) Sri Mrinal Kanti Debnath,
S/O. Lt. Pyari Mohan Debnath of Jagatpur,
Near Abhoynagar School, P.S. – NCC,
District – Tripura West.

2. (g) Smt. Dali Debnath,
W/O. Harimohan Debnath of Indranagar,
P.S. – N.C.C., District – Tripura West.

2. (h) Sri Niranjan Debnath,
S/O. Pyari Mohan Debnath, Jagatpur,
Near Abhoynagar School, P.S. – NCC,
District – Tripura West.

2. (i) Sri Sajjan Kumar Debnath,
S/O. Lt. Pyari Mohan Debnath, Jagatpur,
Near Abhoynagar School, P.S. – NCC,
District – Tripura West.

3. The Land Acquisition Collector,
West Tripura, Agartala.

----Respondent(s)

For Appellant(s) : Mr. P. Saha, Advocate.

For Respondent(s) : Mr. K.N. Bhattacharjee, Sr. Advocate.
Mr. Ranjit Debnath, Advocate.

L.A. APP NO.96/2017

1. The State of Tripura,
Represented by the Secretary to the
Government of Tripura, Public Works Department (R & B),
New Secretariat Complex, Agartala, P.O. – Kunjaban,
District – West Tripura.

2. The Chief Engineer,
Public Works Department (R & B),
New Secretariat Complex, Agartala,
P.O. – Kunjaban, District – West Tripura.

3. The Executive Engineer,
Public Works Department (R & B),
Capital Complex Division, P.O. – Kunjaban,
District – West Tripura.

-----Appellant(s)

Versus

1. Sri Rakhal Chandra Dey,
S/O. Late Indra Kumar Dey,
Ujan Abhoynagar, P.S. – East Agartala,
District – West Tripura.

2. The Land Acquisition Collector,
West Tripura, Agartala.

-----Respondent(s)

For Appellant(s) : None.

For Respondent(s) : Mr. K.N. Bhattacharjee, Sr. Advocate.
Mr. Ranjit Debnath, Advocate.

HON'BLE THE CHIEF JUSTICE MR. SANJAY KAROL

Order

30/08/2019.

Mr. K.N. Bhattacharjee, learned senior counsel states that with regard to very same acquisition proceedings, the approach adopted by the State in preferring the appeals, assailing the awards, is absolutely arbitrary and whimsical. Whereas in the cases of similarly situated land owners, no appeal

stands preferred, in fact, the award stands accepted and payment released but only with respect to instant claimants/private respondents, appeals stand preferred.

2. State cannot be allowed to adopt such a discriminatory approach. There cannot be any method of pick and choose in preferring the appeals. The issue of re-determination of the market value by the Reference Court is to be accepted or rejected in totality, more so, when, as this Court is made to understand, about which fact there is no dispute, there is no difference on facts between the present private parties herein and the claimants of Misc. (L.A.) 133 of 2014, titled as *Shri Narayan Acharjee and others vs. The Land Acquisition Collector and another*, Misc. (L.A.) 54 of 2005, titled as *Smti. Anjali Das and others vs. The Land Acquisition Collector and another*, and Misc. (L.A.) 47 of 2005, titled as *Shri Ram Prasad Dhanuk vs. The Land Acquisition Collector and another*. It is for this reason that the instant claimants did not prefer any appeal, accepting the amount, lower than what according to them was not even reflective of the true market value of the acquired land. It is seen that although claimants had placed on record proof of the market value of the acquired land to be ₹25,00,000 per kani, but the learned Judge quantified the same to be ₹18,00,000. The re-determination of the amount was necessitated as the Collector had awarded compensation @ ₹2,36,000 per kani, which, allegedly was abysmally low and by no standard reflective of the true and correct market value of the

acquired land, which a willing seller was ready to sell his land and a willing purchaser ready to purchase the same.

3. Well this Court does not reflect on the correctness of the findings of the learned District Judge and the issue on merits is left open.

4. However, the statement of the learned senior counsel with regard to the method of pick and choose appears to be correct. It is for this reason, these appeals are disposed of clarifying that it shall be open for the appellant(s) to seek review of the order, if the statement made by the senior counsel is found to be factually incorrect and/or there is evidence indicating quantification of the amount based on the peculiar facts, relevant only to the claimants in the exemplar awards referred to supra and that on facts there is no similarity between two set of claimants. Also if the appellant(s), in principle, take a decision of assailing all the awards, it shall be open for the appellant(s) to seek review of this order.

5. In view of the above, the appeals stand disposed of.
Pending application(s), if any, also stands disposed of.

6. The lower Court records be send down forthwith.

(SANJAY KAROL), CJ