

HIGH COURT OF TRIPURA

_A_G_A_R_T_A_L_A_

WP(C) No.1105 of 2022

For Petitioner(s) : Mr. S. S. Debnath, Advocate.
For Respondent(s) : Mr. B. Majumder, Deputy SGI.
Mr. K. De, Addl. G.A.

HON'BLE THE CHIEF JUSTICE (ACTING)

_O_R_D_E_R_

22/12/2022

Heard.

The petitioner has prayed for the following reliefs:

- i. Issue rule asking the respondents to show cause as to why the respondents should not be directed that acquisition is to be made following the map and the record of Rights/ Khatian existed before illegally prepared khatian based on erroneous order dated 25.06.2002, or to vacate the land and properties thereon belonging to the petitioner illegally occupied by the respondents as per erroneous order dated 25.06.2002 and/or*
- ii. After hearing the parties make the rule in terms the said facts and records."*

The case of the petitioner is that the government of Tripura through the competent authority, Land Acquisition, issued a notice on 28.07.2020 for acquisition of land belonging to the petitioner for widening/two lane with 1.5 mtr. paved shoulder for Jolaibari to Belonia U/S 3a of the National Highway Act, 1965. The land sought to be acquired excludes some land measuring 0.015 acre which, though illegally occupied and reduced from the Record of Rights of the petitioner, where never acquired earlier, but considered to have been acquired by the State. Thus, this writ petition is filed seeking a direction to the respondents either to compensate the petitioner under due process of law for their land illegally reduced/cut from the khatians/ Record of Rights of the petitioner or to vacate the land and properties thereon belonging to the petitioner.

In view of the above, without expressing any opinion on merits, the present writ petition stands disposed of directing the respondents to consider the case of the petitioner more so, which has been filed under Section-11(3) of the Act

as expeditiously as possible preferably within a period of two months from the date of receipt of the copy of this order.

In terms of the above, the present writ petition stands disposed of.

CHIEF JUSTICE (ACTING)

A. Ghosh

