

HIGH COURT OF TRIPURA

_A_G_A_R_T_A_L_A_

WP(C) No.137 of 2026

1. Sri Anup Acharya, Son of late Aswini Acharya, resident of Paschim Chebri, P.S. & District - Khowai, Tripura, Age-56.
2. Sri Ashim Acharya, Son of late Aswini Acharya, resident of Barbari waro (Part), P.S. & District - Dibrugarh, Assam, Age-62
3. Smt. Saheli Acharjee, daughter of late Aswini Acharya & wife of Sri Himangshu Acharjee, resident of Nagful, P.S. Kamalpur, District - Dhalai, Tripura, Age-66.
4. Smt. Sampa Acharjee, daughter of late Aswini Acharya & wife of Sri Kalyan Acharjee, resident of West Mohuripur, P.S. Baikhora, District - South Tripura. Age-59.
5. Smt. Shikha Acharjee, daughter of late Aswini Acharya, wife of late Narayan Acharjee, resident of Churaibari, P.S. Churaibari, District - North Tripura, Age:-70

.....Petitioners

_V_E_R_S_U_S_

1. The State of Tripura (to be represented by) the Secretary, Revenue Department, Government of Tripura, New Secretariat Building, New Capital Complex, Kunjaban, P.S New Capital Complex, Agartala, West Tripura, PIN-799010.
2. The District Magistrate & Collector, Khowai District, O/o the DM & Collector, Khowai District, Khowai, Tripura.
3. The Additional District Magistrate & Collector, Khowai District, O/o the DM & Collector, Khowai District, Khowai, Tripura.
4. The Competent Authority for Land Acquisition, Khowai, O/o the DM & Collector, Khowai District, Khowai, Tripura.
5. Sri Jogendra Chandra Shil, S/o. late Girindra Chandra Shil, resident of Paschim Chebri, P.O. Chebri, P.S. & Dist. Khowai, Tripura.
6. Sri Ramendra Chandra Shil, S/o. late Girindra Chandra Shil, resident of Paschim Chebri, P.O. Chebri, P.S. & Dist. Khowai, Tripura.
7. Sri Sukhendra Chandra Shil, S/o. late Girindra Chandra Shil, resident of Paschim Chebri, P.O. Chebri, P.S. & Dist. Khowai, Tripura.
8. Smt. Gita Shil, W/o. Late Upendra Shil, resident of Paschim Chebri, P.O. Chebri, P.S. & Dist. Khowai, Tripura.

.....Respondents

For Petitioner(s)	:	Mr. P. Roy Barman, Sr. Advocate. Mr. D. Paul, Advocate.
For Respondent(s)	:	Mr. M. Debbarma, Addl. G.A.

HON'BLE JUSTICE DR. T. AMARNATH GOUD
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20.04.2026

Heard Mr. P. Roy Barman, learned senior counsel assisted by Mr. D. Paul, learned counsel appearing for the petitioners also heard Mr. M. Debbarma, learned Addl. G.A. appearing for the respondents.

[2] The petitioners have prayed for the following reliefs:

“(i) Issue Rule upon the Respondents to show cause as to why a writ in the nature of Mandamus and/or order/orders and/or direction/directions of like nature shall not be issued whereby directing the State Respondents to refer the dispute u/s 3H(4) of the Act, 1956, in regard to the apportionment of the compensation amount of Rs.2,43,868/-, for trees standing on the acquired land measuring 0.0526103 Hector (0.13 acres) under Present Plot No. 3033, Nature of land-Chara Tilla, Revenue Village:- Chebri, District Khowai, Tripura.

(ii) Directing the State Respondents to recover the award of Rs.2,43,868/-, illegally disbursed to the Private Respondents having no right or title over the acquired assets, and disburse the same to the Petitioners herein.

(iii) Make the rules absolute.

(iv) Call for records.

(v) Pass any further order/orders as this Hon'ble High Court considered fit and proper.”

[3] The case of the petitioners is that vide registered sale deed No. 1-113, dated 12.02.1957, executed by Sashi Bhusan Acharjee in favour of Aswini Kumar Acharjee (father of the petitioners herein) became the lawful owner and possessor of total land measuring 0.62 acres recorded under Khatian No. 687 of Mouja & Tehsil -Chebri, Revenue Circle & Sub-division Khowai, pertaining to present Plot No. 3033, corresponding to Old Plot No. 1024. Out of the aforesaid land, 0.0526103 Hector (0.13 acres) under present Plot No. 3033 was acquired by the competent authority for land acquisition and in this regard, a compensation amounting to Rs.11,37,277/- was awarded in favour of the petitioners. But as the private respondents had objected to the same, the matter was referred to civil Court vide Civil Misc. (High Way) 03 of 2025 pending before the learned District Judge, Khowai, with the next date fixed on 25.03.2026.

[4] However, in regard to compensation amounting to Rs.2,43,868/- (for trees), the same was disbursed to the private respondents having no title & right, without even informing the petitioners herein. Situated thus, the petitioners have

filed this petition seeking necessary directions from this Court upon the State respondents to refer the dispute under Section-3H(4) of the Act, 1956, in regard to the apportionment of the compensation amount of Rs.2,43,868/-, for trees standing on the acquired land measuring 0.0526103 Hectar (0.13 acres) under present Plot No. 3033, Nature of land-Chara Tilla, Revenue Village:- Chebri, District Khowai, Tripura, and to further direct the State respondents to recover the award of Rs.2,43,868/-, illegally disbursed to the private respondents having no right or title over the acquired assets, and disburse the same to the petitioners herein.

[5] Hence, the present petition has been filed by the petitioners before this Court for ends of justice.

[6] In view of above and having heard the learned counsel appearing for the parties this Court is of the view that the compensation was not paid in respect to the trees the petitioners have raised and in this regard, they made requests which were also not considered. Accordingly, without expressing any opinion on merits, this Court is of the view that ends of justice would be met if the matter is disposed of by directing the respondents to consider the case of the petitioners in the light of the documents they placed before the respondent authorities in accordance with law, facts and rights be decided as expeditiously as possible preferably within a period of two months from the date of the receipt of the copy of this order. Accordingly, the same is ordered. Further, it is made clear that whatever the decision is taken by the concerned respondents, the same may be communicated to the petitioners. It is further observed that in the event if the petitioners wish to place any documents on record in respect of their case, they are at liberty to do the same.

[7] As such, the present petition stands disposed of. As a sequel, miscellaneous application, pending if any, shall stand closed.

DR.T. AMARNATH GOUD, J