

IN THE HIGH COURT AT CALCUTTA
[CIRCUIT BENCH AT PORT BLAIR]

FMAT/1/2026
IA No. CAN/1/2026

M/S Andaman Timber Industries Ltd.

Vs

The Collector, Land Acquisition and another

Mr. Probal Kr. Mukherjee, Sr. Adv.

Ms. Deepabali Datta

Mr. C.Mano

... for the appellant

March 16, 2026

[AKB]

Item No.3

The instant First Miscellaneous Appeal is filed against the judgement and order dated December 31, 2025 passed by the learned Additional District Judge, Andaman and Nicobar Islands, Port Blair in Land Acquisition Case No. 7 of 2003 whereby the quantum of compensation awarded is Rs. 1928 per Sq.Mtrs along with simple interest @ 9% for the first year and 15% per annum for the subsequent year till reliazation other than the solatium amount and interest.

It is submitted by the learned Senior Advocate Mr. Mukherjee in respect of the appellant that the initial amount decided by the reference Court was Rs. 2029 per Sq. mtrs. which was challenged by the authority and the direction was given by this Court to hear the matter afresh but, the learned reference court after hearing afresh reduced the quantum of the compensation to 1928 per Sq.mtr meter without considering evidence adduced before the learned Court.

On perusal of the record coupled with the submission made, *Prima facie* it appears that a case has been made out for hearing the appeal. Hence the appeal is hereby admitted.

Issue notices upon the respondents.

Appellant to take steps for service of notice.

Let the Trial Court's Records be called for through special Messenger at the cost of the appellant. Such cost shall be put in within a week from date.

Immediately, after arrival of the Trial Court's Records, office shall examine the same and if found complete, shall issue notice of arrival of Trial Court's Records on the Advocate-on-Record of the appellant under Rule 12 of Chapter IX of the Appellate Side Rules.

The appellant is directed to prepare and file requisite numbers of informal paper books – printed, typewritten or cyclostyled, as the case may be – out of court, within a period of four weeks from date.

All other formalities regarding preparation of paper books are dispensed with.

After fulfillment of all other formalities, the office shall put a certificate that the appeal is otherwise ready for hearing and liberty is given to the parties to pray for early disposal of the appeal.

RE CAN/1/2026:

This application has been filed praying for an interim order directing the respondents to pay the appellant/petitioner for deposit the sum awarded by the learned Reference Court being Rs. 28.48 Crores calculate as on 28th January, 2026.

It is submitted by appellant that the copy of the application was served upon the authorities on 13 of March, 2016. Since none appears on behalf of the authorities appellant

is directed to serve afresh notice upon the respondents. Considering the fact that the award has not yet been challenged, the matter is required to be heard in presence of the respondents.

Accordingly, let this application appear along with the appeal before the next available Circuit Bench.

(Tirthankar Ghosh, J.)

(Chaitali Chatterjee (Das), J.)