

**NAFR****HIGH COURT OF CHHATTISGARH, BILASPUR****W.P.(C) No. 395 of 2016**

Abdul Gaffar S/o Mo. Shakil, aged about 56 years, Add-  
Industrial Ward, P.O. Dhamtari, District Dhamtari (C.G.)

**---- Petitioner****Versus**

1. The Senior Superintending Engineer, South East Railway Management Compound, W.R.S. Colony, Raipur (C.G.)
2. The Estate Officer, South East Railway, Management Compound, W.R.S. Colony, Raipur (C.G.)
3. Union of India, through Chief Manager, South East Central Railway, Garden Reach, Kolkata, West Bengal

**---- Respondents**


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| For Petitioner  | : | Shri Ankit Singhal, Advocate  |
| For Respondents | : | Shri Abhishek Sinha, Advocate |

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**Hon'ble Shri Justice P. Sam Koshy****Order On Board****12/02/2016**

Challenge to the present writ petition is Annexure P-1 passed by the respondents.

2. Counsel appearing for the parties make a submission that similar writ petitions, ten in number, leading among them being W.P. (C) No.333/2016 were dismissed by this Court on 10.02.2016 holding that since the petitioners have already availed the statutory remedy under Section 9 of the Public Premises (Eviction of Unauthorized occupants) Act, 1971 before the District Judge Dhamtari, the present writ petition in its present form is not maintainable.

3. Accordingly, the present writ petition also stands dismissed on the ground of the petitioner having availed the statutory remedy under Section 9 of the said Act of 1971.

4. Needless to mention that this Court has not expressed any opinion on the merit of the case and in the event the petitioner approaches the concerned statutory authority for expeditious hearing, the same shall be decided in accordance with law.

Sd/-  
**(P. Sam Koshy)**  
**JUDGE**