

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.12226 of 2015

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Rahamtullah Ansari Alias Ramtullah S/o Late Abdul Rahim Ansari Resident of Village Haripur Dharampur, Tola Bardahi, P.O. + P.S. Sikta, District West Champaran.

.... Petitioner/s

Versus

1. General Manager (G.M.) E.C.R. Zonal Office, Hajipur.
2. Divisional Manager (D.R.M.) Commercial, D.R.M. Officer, East Central Railway, Samastipur.
3. Assistant Divisional Engineer, E.C.R. Narkatiaganj.
4. Senior Sectional Engineer (Work), Narkatiaganj.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Chandra Mohan Jha, Adv.
Mr. Shankar Sahay, Adv.
For the Respondent/s : Mr. A. Keshari, Sr. Adv.
Mr. Satyeshwar Prasad, Adv.

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CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY

ORAL JUDGMENT

Date: 04-05-2017

Heard learned counsel for the petitioner and counsel for the State.

In this case, the petitioner has a grievance against the Railway administration for cancelling the agreement with respect to running the shop.

At the initial stage, the Railway has allotted land to Vishwanath Prasad Gupta, as he was not keeping good health, he requested the petitioner to run the shop and, ultimately, he died in the year 1998, whereafter, he has entered into the agreement with his wife with respect to certain portion of the plot. In the agreement itself it has



been mentioned that in the event of objection, the agreement will be canceled.

In the present case, it appears that somehow the petitioner obtained the affidavit from Sharda Devi, has filed criminal case against the petitioner and also denied the agreement with her which led to issuance of the order dated 12.01.2015. This issue can only be adjudicated in a proper proceeding by the civil court.

This writ application is, accordingly, dismissed with a liberty to the petitioner to file a civil suit before the civil court.

(Shivaji Pandey, J)

Rishi/-

AFR/NAFR	NAFR
CAV DATE	NA
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