

IN THE HIGH COURT OF JUDICATURE AT PATNA

**Letters Patent Appeal No.132 of 2015
IN
Civil Writ Jurisdiction Case No. 20914 of 2014**

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1. Mahgilal Jaiswal Son of Late. Ishwar lal Jaiswal.
2. Anjani Kumar Sinha Son of Late. Shiv Prasad.
3. Krishna Lal Son of Late. Ram Chandra Tamoli.
4. Surendra Keshri Son of Late. Sidheshwar Prasad.
5. Sidhnath Prasad Son of Late. Agami Sao.
6. Nemchand Prasad Son of Late . Bhagirath Prasad.
7. Rajnath Prasad Son of Late Pyare Yadav. All residents of Station Road
Masaurhi, Police Station- Masaurhi, District- Patna

.... Appellant/s

Versus

1. The Union of India through General Manager, East Central Railway, Hajipur.
2. The Divisional Railway Manager, Danapur Division, East Central Railway,
Danapur,
3. The Senior Divisional Engineer-1 East Central Railway, Danapur.
4. The Senior Divisional Commercial Manager, East Central Railway, Danapur.
5. The Divisional Security Commissioner, Railway Police Force, East Central
Railway, Danapur.
6. The Inspector of Works, East Central Railway, Danapur.
7. The Commercial Train Inspector, East Central Railway, Danapur.
8. The Assistant Divisional Engineer (Line), East Central Railway, Danapur.
9. The Station Master, Taregna Station, East Central Railway, District- Patna.

.... Respondent/s

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Appearance :

For the Appellant/s : Mr Y.V.Giri, Sr. Advocate
Mr. Pawan Kumar Singh

For the Respondent/s : Mr. A.K.Keshri

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**CORAM: HONOURABLE MR. JUSTICE AJAY KUMAR TRIPATHI
and
HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD**

ORAL JUDGMENT

(Per: HONOURABLE MR. JUSTICE AJAY KUMAR TRIPATHI)

Date: 19-06-2017

Heard learned senior counsel for the appellant and
learned counsel for the Railways.

No interference is warranted with the impugned order
dated 16.12.2014 for the primary reason that the appellants had



themselves undertaken before the Writ Court that they will vacate the Railways land within a month from the date of the order dated 11.2.2013. Four years have gone past and they are still trying to hang on to the piece and parcel of the land of the Railways for which they have no right, title or interest as they were only licensees.

The learned Single Judge, therefore, has committed no error of law by dismissing the writ application keeping in view the past adjudication as well as the undertaking, which was given by these appellants. In fact, any effort made by them now to turn back from the undertaking which they had given earlier verges on contempt.

The appeal has no merit. It is dismissed.

(Ajay Kumar Tripathi, J)

(Rajeev Ranjan Prasad, J)

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