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HIGH COURT OF CHHATTISGARH, BILASPUR**Writ Appeal No.333 of 2017**

(Arising out of order dated 7.7.2017 in Writ Petition (C) No.1413 of 2016 of the learned Single Judge)

Vishnumal Hanspal S/o Shri Pesumal, Aged About 66 Years Unemployed, R/o Near Dr. Pandalwals Clinic, Main Road, Torwa, Bilaspur District Bilaspur Chhattisgarh.

---- Appellant**Versus**

1. Union Of India The General Manager, S. E. C. Railways, G M Office, Bilaspur 495004 Chhattisgarh.
2. The Divisional Railway Manager, S. E. C. Railway, Bilaspur Division, D R M S Office Bilaspur 495004
3. The Senior Divisional Engineer (Coordination), S. E. C. Railway, Bilaspur Division, D R M S Office Bilaspur 495004 Chhattisgarh.

---- Respondents

For Appellant	: Shri B.P. Rao, Advocate.
For Respondents/Railways	: Shri Abhishek Sinha and Ms. S. Harshita, Advocates.

Hon'ble Shri Thottathil B. Radhakrishnan, Chief Justice
Hon'ble Shri Sharad Kumar Gupta, Judge.

Judgment on Board**Per Thottathil B. Radhakrishnan, Chief Justice****14/09/2017**

1. The writ Petitioner is the Appellant. We have heard the learned counsel for the Appellant and the learned counsel for the contesting Railways.
2. The Appellant came to be in occupation of a plot of 700 sq.ft. of the Railway land under written agreement dated 10.7.1980. Proceedings were initiated on 1.10.1985 for eviction of the Appellant under the provisions of the Public Premises (Eviction of Unauthorized Occupants) Act, 1971. That led to a civil revision before the Madhya Pradesh High Court, which was dismissed as per order dated

22.3.2000, holding that there is no merit in the civil writ petition. Because it was submitted during the course of hearing of that revision that the Appellant herein was in possession from more than two decades by then, the Madhya Pradesh High Court had granted time for him till 31.1.2001 to vacate the premises. The Railways administration was directed to consider giving alternate site to the Appellant, if possible. The writ Petitioner challenged the refusal of the Railways to provide him alternate site by pleading that certain other persons have been granted such accommodation. The learned Single Judge found that the order impugned in the writ petition discloses reasons for refusal to provide any alternate accommodation. We record the submission of the Railways that the persons who were granted such alternate accommodation had valid license.

3. In view of the aforesaid facts and circumstances, we do not find any error of jurisdiction, illegality or impropriety in the learned Single Judge having dismissed the writ petition. We therefore do not any ground to entertain this intra Court appeal. Hence, this writ appeal fails.
4. In the result, this appeal is dismissed.

Sd/-

(Thottathil B. Radhakrishnan)
CHIEF JUSTICE

Sd/-

(Sharad Kumar Gupta)
JUDGE