

IN THE HIGH COURT OF JUDICATURE AT PATNA

Miscellaneous Jurisdiction Case No.3632 of 2018

IN

Civil Writ Jurisdiction Case No. 17379 of 2018

=====

Bhanu Pratap Shukla son of Sri Madhu Mandal Sukla, resident of village-Sahebpura behind Railway, quarter no. 842, P.S. Sahayak District-Katihar.

.... Petitioner/s

Versus

1. The Union of India through the Secretary Railway, Board, Rail Bhawan New Delhi.
2. Divisional Railway Manager, N.F. Railway, P.S. and District-katihar.
3. DEN/IV/KTR, NF Railway, P.S. and District-Katihar.
4. The General Manager, Maligaon, Guwahati.
5. Sr. Section Engineer/Works/West, NF Railway, P.S. and District-Katihar.
6. ADEN/II/KTR, NF Railway, P.S. and District-Katihar.
7. Sr. Divisional Electrical Engineer, NF. Railway P.S. and District-Katihar.

.... Respondent/s

=====

Appearance :

For the Petitioner/s : Mr. Mukesh Kumar Jha, Adv.

Mr. Bhola Prasad, Adv.

For the Respondent/s : Mr. Anil Kumar Sinha, Adv.

Mr. Yash Mathur, Adv.

Ms. Nisha Kumari, Adv.

=====

CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL

ORAL JUDGMENT

Date: 19-09-2018

Heard learned counsel for the petitioner and learned counsel appearing on behalf of the Railways.

Petitioner seeks modification of the order dated 29.08.2018 passed in C.W.J.C. No. 17379 of 2018 wherein the



petitioner who was awarded contract by the Railways and had erected the labour camp, after completion of work was directed by the Railway authorities to remove the labour camp by 31.08.2018 which had been challenged in the writ application. While disposing of the writ application, it was observed that since conservancy charges have been taken from the petitioner for the period 30.06.2017 to 25.09.2018, the petitioner would be allowed to continue till 25.09.2018. Apart from that, the order of the Railways for removing the labour camp was not interfered with. Petitioner pleads that since the maintenance guarantee period for the work would expire on 10.01.2019 and if the petitioner is ousted from the said land he would suffer great loss and in the alternative, prays even one month time be extended from 25.09.2018 to remove the labour camp.

However, learned counsel for the Railways submits that the petitioner has preferred a Letters Patent Appeal against the said order and has also prayed for stay of the said order and now a modification petition has been filed indulging in multiplicity of applications.

Considering the submissions of both the parties, the order dated 29.08.2018 passed in C.W.J.C. No. 17379 of 2018 calls for no interference.



Modification application is dismissed.

(Nilu Agrawal, J)

Devendra/Priyanka

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	20.09.2018
Transmission Date	NA

