

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.5877 of 2019

1. Rama Shankar Pandey @ Tulsi Pandey (male), aged about 72 years, Son of Late Sheo Swaroop Pandey Resident of Village- Motipur, P.O. and P.S.- Motipur, District- Muzaffarpur.
2. Sita Ram Rai (male), aged about 50 years, Son of Late Jagarnath Rai Resident of Village- Sandha Aambar, P.O. and P.S. Motipur, District- Muzaffarpur.

... .. Petitioner/s

Versus

1. The East Central Railway, Hajipur through the General Manager.
2. The General Manager, The East Central Railway, Hajipur.
3. The Principal Chief Engineer, The East Central Railway, Hajipur.
4. The Senior Section Engineer, East Central Railway, Bapudham, Motihari.

... .. Respondent/s

Appearance :

For the Petitioners	:	Mr. S.B.K. Mangalam, Advocate
For the Railways	:	Mr. Anshuman Singh, Advocate

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

- 2 16-09-2019 Although learned counsel for the petitioner submits that against the demand of the outstanding rent the petitioners have submitted their protest/objection in the office of the Assistant Engineer (Works), East Central Railway, Bapudham, Motihari, but it is also an admitted position that the same has neither been enclosed with the writ application nor any statement with regard thereto has been made in the writ petition. Learned counsel for the Railways submits that the Assistant Engineer (Works) is not the competent authority to look into the grievance of the petitioner. It is



submitted that in case the petitioners have any grievance with respect to the notice dated 22.11.2017, they may represent before the Senior Section Engineer (respondent no. 4).

In the given facts and circumstances of the case this court disposes of this writ application with an observation that if the petitioners have any objection against the notice dated 22.11.2017 they may submit their protest/objection with respondent no. 4 within a period of 30 days from today, which will be considered by the respondent no. 4 within 60 days from the date of receipt of the protest/objection. The decision so taken by the respondent no. 4 shall be communicated to the petitioners immediately thereafter.

In the meantime, status quo, as on today, shall be maintained in the present case.

The writ application stands disposed off.

(Rajeev Ranjan Prasad, J)

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