

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No. 53 of 2021

Manoj Kumar @ Manoj Kumar Barbariya, Male aged about 43 years, Son of Nand Lal Barbariya, Resident of Hasanpur Bazar, Ward No.5 Road, Rampur Rajawa P.S. Hasanpur, Samastipur-848205 through his Power of attorney holder namely, Govind Prasad, Male aged about 59 years, Son of Late Chandu Lal Agrawal, resident of Ward No.3, Hasanpur Sugar Mill P.S. Hasanpur, Samastipur.

... .. Petitioner/s

Versus

1. The Union of India through the Chairman, Railway Board, Ministry of Railways, New Delhi.
2. The Director, Land and Amenities, Railway Board, Ministry of Railways, New Delhi.
3. The General Manager, East Central Railway, Zonal Office Hazipur, Vaishali.
4. The Divisional Railway Manager, East Central Railway, Samastipur Division, Samastipur.
5. The Assistant Divisional Engineer, East Central Railway, Samastipur.
6. The Senior Section Engineer, (Works) Line, Eastern Central Railway, Samastipur.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Gautam Kumar Kejriwal, Advocate
For the Respondent/s : Mr.

CORAM: HONOURABLE MR. JUSTICE RAJAN GUPTA
and
HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL JUDGMENT
(Per: HONOURABLE MR. JUSTICE RAJAN GUPTA)

Date : 30-11-2021

Heard learned counsel for the parties.

The issue relates to demand having been made by the respondent Railways with regard to licence fee with an increment thereon from a retrospective effect.



Learned counsel are *ad idem* that the present case is squarely covered by a judgment dated 04.11.2019 rendered by a learned Single Judge of this Court in CWJC No. 18109 of 2018 (**Vijay Sah v. Union of India and Others**) as also by a judgment dated 06.11.2020 rendered by a learned Single Judge of this Court in CWJC No. 8604 of 2020 (**Bharat Kumar Agarwal @ Bharat Kumar vs. The Union of India and Others**) and another analogous cases.

We, thus, dispose of the instant case with the same direction and observation as has been made in the aforesaid judgment dated 04.11.2019 (supra) and 06.11.2020 (supra).

(Rajan Gupta, J)

(Mohit Kumar Shah, J)

P. Kumar/Anand Kr.

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CAV DATE	
Uploading Date	
Transmission Date	

