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W.P.A. 10099 of 2020

(Potala Meena Kumari vs. The Union of India & Ors.)

Mr. Amaresh Sukul

.... For the Petitioner

Mr. Subhankar Chakraborty

Mr. Saptarshi Bhattacharjee

.... For the Respondent Nos. 2 - 5

The grievance of the petitioner is directed against an order dated 15th October, 2020 passed by the Divisional Engineer (Head Quarter) South, Eastern Railway, Kharagpur. It is submitted on behalf of the petitioner that the Divisional Engineer has no authority in law to pass the order. It is further submitted on behalf of the petitioner that the proceedings, which were initiated give only the Estate Officer the right to pass an order of eviction. It is further submitted on behalf of the petitioner that the impugned order had been passed on the basis of conjecture and surmise.

The respondent Nos. 2, 3, 4 and 5 are represented and submit that the petitioner has no *locus standi* whatsoever to maintain the instant petition. It is further submitted on behalf of the said respondents that the impugned order came to be passed pursuant to an earlier direction of this Hon'ble Court. It is also submitted that the petitioner in this proceeding is in no way related to the original licensee and is occupying the Railway land illegally and without authority of law.

I have heard the parties. I have perused the petition. I am of the view that the impugned order is a reasoned order. There is no perversity or impropriety or illegality in the impugned order which warrants any interference whatsoever. The petitioner has not been able to satisfy this Court as to how the petitioner came to being in possession of the said premises. The petitioner was not the original licensee and cannot demonstrate any lawful right whereby the petitioner came into possession of the subject premises. The impugned order records adequate and sufficient reasons. Therefore, I am of the view that there is no reason to interfere with the impugned order.

In view of the aforesaid, W.P.A. 10099 of 2020 is dismissed.

There will be no order as to costs.

Photostat certified copy of the order, if applied for, be given to the parties on compliance of requisite formalities.

(Ravi Krishan Kapur, J.)