

July 18, 2022
AD 34
Court No.1
SG

WPA(P) 269 of 2021

Biswanath Sarkar
vs.
Ministry of Railways and others

Sk. Toslim Ali,
Ms. Saba Parween, Advocates

... for the petitioner

Mr. Swapan Kumar Datta,
Mr. Shamim Ul Bari, Advocates

... for the State

Affidavit of service filed by petitioner is taken on record.

This writ petition has been filed by petitioner questioning the joint inspection report dated 25.09.2020 in respect of FOB, LC gates, PRs railway offices and approach road at BTK Railway Station.

Learned counsel for petitioner has submitted that first part of the report relating to FOB is incorrect.

Having perused the first part of the report, we notice that a committee of as many as six offices of the Railway have done the joint inspection and in respect of the additional FOB has reached to the following conditions:

“FOB

Presently 01 (one) FOB, in good condition, is available connecting both sides of station approach roads via PF-1 and 2,3 (island).

L.C. Gates are available on both ends of platform. Further, behind the station building (PF no.1 side) and along platform nos.2,3 (island), two parallel roads are available connecting both the L.C.

gates. Average daily footfall of passengers at DTK station for both up and down direction is 14300 (appx.). The existing FOB which is in good condition is located at the middle of the platform well connected with all other platforms and approach road.

It is also to mention that majority of the passengers (80%) of DTK station avails passenger trains originating from PF-1.

Considering the present footfall and trend of passengers, there is no need of additional FOB. Apart from this additional FOB will create congestion in the PFs and obstructing the free movement of suburban passengers.”

No material has been pointed out to show that the facts which have been noted in the above report on the basis of joint inspection are incorrect or the conclusion which has been drawn on the basis of the said facts suffers from any error.

Hence, we are of the opinion that no case for interfering in the joint inspection report is made out. Thus, we decline to issue any direction in present public interest petition which is accordingly dismissed leaving it open to concerned parties to raise the issue before the appropriate forum in accordance with law, if permissible.

[Prakash Shrivastava, C.J.]

[Rajarshi Bharadwaj, J.]