

**IN THE HIGH COURT OF ORISSA AT CUTTACK**  
**W.P.(C) No.11492 of 2022**

*Subash Chandra Choudhury & Ors.* .... *Petitioner(s)*  
Mr.S.K.Dash,  
Advocate

-versus-

*General Manager, East Coast* .... *Opposite Party(s)*  
*Railway, BBSR & Ors.* Mr.P.K.Parhi,  
ASG

**CORAM:**  
**JUSTICE BISWANATH RATH**

**ORDER**  
**11.05.2022**

**Order No.**

02.

1. Heard the submissions of learned counsel for the parties.
2. Considering the matter at length by order dated 06.05.2022, this Court has already come to observe that each of the petitioners are in encroachment of land sufficiently beyond the land allotted to each of the petitioners by way of lease, this Court marked there has been encroachment somewhere ten times, somewhere twenty times land of the lease hold area. At this stage of the matter this Court also considered the submission of Mr.Parhi, learned Assistant Solicitor General that there is requirement of these area for development of railway.
3. Keeping in view the petitioner are sometime lease holders and continuing over such disputed land even after expiry of lease, there undertaking to the extent that petitioners have no objection to leave the land provided, in the event rehabilitation process is undertaken by the Railway along with Competent Authority of the State, there case should also be considered. Keeping this in view, this Court disposes

the writ petition and directed the petitioners to vacate the land at least within two months from today. If the petitioners make proper application for their relocation in land available under the State Government or under the Railway Authority, a joint decision is required to be taken by both the Railways and District Administration in considering relocation of the petitioners subject to condition that none of the petitioners are granted lease anywhere of the district. While making such representation petitioners are also directed to vacate the disputed land at least within a period of two months. Decision for relocation of the petitioners, considering their application shall be dependent also on the petitioners vacating the disputed land.

4. This writ petition stands disposed of.

**(Biswanath Rath)**  
**Judge**

