

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.15395 of 2022

Chandra Shekhar Kumar Pauddar Son of Ram Kumar Pauddar Resident of
Village-Chak Salam, P.O.-Patory, P.S.-Patory, District-Samastipur.

... .. Petitioner/s

Versus

1. The Divisional Railway Manager Eng. (First), East Central Railway, Sonapur.
2. The Assistant Divisional Engineer (Lane), East Central, Railway, Sonapur,
3. The Senior Section Engineerr (Works), East Central Railway, Sahpur, Patory.
4. The Railway Police Superintendent, Govt. Railway Police, Barauni.
5. The Divisional Commissioner of Railway Safety, Railway Protection Force, Sonapur
6. The Inspector in Charge, Railway Protection Force, Post, Hajipur.
7. The Deputy Inspector, Railway Protection Force, Out Post-Shahpur, Patory.
8. The Deputy Inspector, Railway Protection Force, Out Post Shahpur, Patory.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Sri Rajiv Kumar Verma, Sr. Adv.
	:	Mr. Chandra Bhushan Verma, Adv.
For Railways	:	Mrs. Parul Prasad, Adv. CGC
	:	Mr. Aditya Anand, Adv.
For the Respondent/s	:	Mr. Additional Solicitor General

CORAM: HONOURABLE MR. JUSTICE A. ABHISHEK REDDY
ORAL ORDER

9 09-07-2024 A perusal of the impugned notice dated 22.09.2022 reveals that it is only a notice directing the petitioner to vacate the subject premises in question within a period of seven days and in case the petitioner does not vacate the same, the authorities will take action in accordance with law. However, till date no further notice has been given to the petitioner.

2. Having regard to the same, the present writ petition is disposed of granting liberty to the respondents to issue a show



cause notice to the petitioner in case they seek to evict/remove the petitioner from the subject premises. On issuance of any show cause notice, the petitioner shall submit his explanation within a period of fifteen days from the date of receipt of the said show cause notice. Thereafter, the authorities are directed to consider the explanation submitted by the petitioner and pass a reasoned order strictly in accordance with law duly. The authority while passing the order shall take into account the circulars issued by the Railways and also any material filed by the petitioner. The Railways shall also give an opportunity of hearing to the petitioner and any other interested parties including the intervenor herein. It is further made clear that till such time the final orders are passed by the authority, the possession of the petitioner shall not be disturbed.

3. With the above direction, the writ petition stands disposed of.

(A. Abhishek Reddy, J)

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