

**IN THE HIGH COURT OF JHARKHAND AT RANCHI
W.P.(C) No.4172 of 2021**

Tulsi Ram, aged about 81 years, son of Late Gobardhan Mahto, R/o Barkakana, P.O.-Barkakana, P.S.-Patratu, Ramgarh **Petitioner**

Versus

1. Union of India representing Eastern Railway.
2. General Manager, Eastern Railway, Kolkata
3. Assistant Divisional Engineer, Eastern Central Railway, Barkakana, Ramgarh
4. Station Engineer (Works), Eastern Central Railway, Barkakana, Ramgarh **Respondents**

CORAM: HON'BLE MR. JUSTICE RAJESH KUMAR

For the Petitioners : Mr. A. K. Sahani, Advocate
Mr. Vikesh Kumar, Advocat
For the U.O.I : Mr. Anil Kumar, A.S.G.I
Mr. Ravi Prakash, C.G.C

05/Dated: 21st March, 2024

1. Heard learned counsel for the petitioner and learned counsel for the Union of India.
2. The present writ petition has been filed against the notice issued under Memo No.E-13/ Encroachment dated 24.07.2020. The relevant portion of the said notice reads as under :-

“ आपके द्वारा रेल भूमी पर अवैध रूप से अतिक्रमण कर कच्चे मकान व दुकान का निर्माण किया गया है। अतः आप इस नोटिस प्राप्ती के तिथी से सात (07) दिनों के अंदर रेल भूमी पर से अपना अवैध अतिक्रमण हटा लें अन्यथा इसके बाद आपके विरुद्ध कड़ी कानूनी कारवाई की जाएगी ।”

3. It appears that the very notice dated 24.07.2020 suggests that there is no cause of notice with the petitioner. It further appears that the petitioner is allottee of a particular shop for a years which has already been expired. The notice itself suggests that if the unauthorized occupation is not removed then legal action will be taken which is a known procedure.
4. In that view of the matter, learned counsel for the petitioner seeks permission to withdraw the present writ petition with a liberty to work out his remedy in accordance with law, if any proceeding is initiated.
5. Accordingly, the present writ petition is, hereby, disposed of as withdrawn with the aforesaid liberty.
6. Pending interlocutory application, if any, also stands disposed of.

(Rajesh Kumar, J.)