

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.5274 of 2017

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Mahavir Prasad Son of late Kanik Lal, resident of Village Mahuabagh, Police Station Danapur, District Patna.

... .. Petitioner/s

Versus

1. The Union Of India through Secretary, Department of Railway, Railway Bhawan, New Delhi.
2. Secretary, Department of Railway, Rail Bhawan New Delhi.
3. Union of India, through the General Manager, East Central Railway, Ministry of Railway, Vaishali at
4. The D.R.M. East Central Railway, Ministry of Railway, Danapur, Patna.
5. The Chief Engineer, Construction, Neuara Daniyawan, East Central Railway, Mahendru Ghat, Patna.
6. The Dy. Chief Engineer Construction, East Central Railway, Digha Ghat, Patna.
7. The State of Bihar, through the Secretary and Commissioner, Revenue and Land Reforms, Department government of Bihar, Patna
8. The District Magistrate, cum Collector, Patna.
9. The District Land Acquisition Officer.
10. The Additional District Land Acquisition Officer, Patna.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Man Mohan Kumar, Advocate
For the State	:	Mr. Saurabh Kumar, Advocate
For the UOI	:	Mr. Awadhesh Kr. Pandey, Sr. Advocate
		Mr. Abhishek Kr. Verma, Advocate

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

5 06-05-2025 Heard Learned counsel for the petitioner, Learned counsel for the State and Learned Senior counsel for Union of India.

2. Learned Senior counsel for Union of India submits that the issue relating to the present case has been decided by the Hon'ble Division Bench of this Court according to which



the provisions relating to providing services has now ended as mentioned *vide* order dated 03.01.2018 passed in Letters Patent Appeal No.1929 of 2016 (Anil Kumar Vs. The Union of India & Ors.) annexed as Annexure-R/4 of the reply to the rejoinder petition.

3. In the light of the submissions made, the Hon'ble Division Bench of this Court in case of Anil Kumar Vs. The Union of India & Ors. (*supra*) has observed as under:-

“The learned Single Judge has considered such submissions in quite a detail and has also taken into consideration the decision of the Hon'ble Apex Court rendered in the case of Umesh Kumar Nagpal Vs. State of Haryana and Ors. (1994) 4 SCC 138 and held that providing employment is not a matter of right but the mater of policy in land acquisition cases.

Counsel for the Railways has emphatically stated before the Court that there is no single instance of any person having been provided employment for the acquisition made for Ara-Sasaram Railway and a misleading kind of statement as an example is being cited by the appellant by relying upon employment granted for other projects.

The appellant cannot take advantage of such examples. There is nothing to show that there



is any discrimination with regard to the acquisition made in relation to this project. The stand of the Railways is categorical in this regard. In view of the same, the appeal has no merit. It is dismissed.”

4. As such, in the light of the decision rendered by Hon'ble Division of this Court in the aforementioned case, no merit has left in this case, as matter has already been settled. Hence, this writ petition stands dismissed.

(Dr. Anshuman, J)

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