

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.12611 of 2017

1. Nathun Singh son of Late Ram Baran Singh
2. Kameshwar Kumar son of Mathura Singh
3. Kanchan Devi W/o Madan Kumar
4. Vijay Kumar son of Mathura Singh
5. Kapildeo Thakur son of Ram Kishore Thakur
6. Sudhir Kumar son of Mathura Singh
7. Yamuna Singh son of Late Ram Baran Singh
8. Mathura Singh son of Late Ram Baran Singh All are residents of village - Chulhai Chak, P.S. - Rupaspur, District - Patna.

... .. Petitioner/s

Versus

1. The Union Of India
2. The Divisional Railway Manager D.R.M. East Central Railway, Ministry of Railway, Danapur.
3. The Chief Engineer, Construction, Ganga Bridge, East Central Railways, Digh Ghat, Patna.
4. The Deputy Chief Engineer, Construction, Ganga Bridge, East Central Railway, Digha Ghat, Patna.
5. The State of Bihar through the Secretary-cum-Commissioner, Revenue and Land Reforms Department, Gov
6. The Collector, Patna.
7. The District Land Acquisition Officer, Patna.
8. The Sub-Divisional Officer, Danapur, District Patna.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	None
For the Respondent/s	:	Mr.Sajid Salim Khan – Sc25
Union of India	:	Ms Punam Kumari Singh, CGC

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

7 22-04-2025 No one appears for the petitioners though learned State counsel as also learned counsel for Union of India are present.

2. The petition has been filed for:-



“issuance of an appropriate writ/writs, order/orders in the nature of mandamus for directing and commanding the Respondents Railway authorities to provide employment/appointment/service to one member of family of the petitioners and the ward of the petitioners who are awardees and displaced due to Ganga Rail Bridge Project, Patna as per the policy decision resolved by the Ministry of Railways Department vide letter bearing No. ECR/CAO/W/Land Employment/143/277 dated 9/18.1.2007 because the lands and house and residential accommodation of the petitioners have been acquired for construction of Ganga Rail Bridge Scheme from Patna to Sonapur and further for any other relief or reliefs for which the petitioners are entitled in the facts and circumstances of the present writ application.”

3. Learned counsel for the Railways submits that the scheme for providing employment has been stopped by the Railways and duly endorsed by the Patna High Court in the case of **Union of India through Chairman, Railway Board, New**



Delhi v. Smt. Sumitra Devi and Ors. in LPA No. 465 of 2022
disposed of on 14.03.2024. She has taken this court to paragraph-22 to support her case. Paragraph-22 of the order reads as follows:-

“22. None of the respondents fall under the policy of the Railways, enabling them to get an employment. Only small strips of land were acquired from each of the respondents, as is demonstrated from the writ petitions. There is no complete loss of homestead or loss of substantial livelihood for reason of the acquisition nor is it pleaded by any of the respondents. With respect to the submission regarding employment having been given in other Divisions, it is a fact that employment was given, even in the Division, which had acquired the lands of the respondents herein. Insofar as the claim raised of other persons having been given employment, not even one case has been specified wherein an employment was obtained in lieu of respondents. We also have to observe that illegal or irregular grants cannot result in a valid plea of violation of



equality or discrimination as held in South Eastern Coalfields Limited (supra). We find absolutely no reason to sustain the judgment of the learned Single Judge acquisition of a strip of land identical to that of any of the respondents. We also have to observe that illegal or irregular grants cannot result in a valid plea of violation of equality or discrimination as held in South Eastern Coalfields Limited (supra). We find absolutely no reason to sustain the judgment of the learned Single Judge.”

4. The writ petition, in that background, is fit to be dismissed. However, as there is no appearance on behalf of the petitioner, the same is dismissed for non prosecution.

(Rajiv Roy, J)

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