

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.21532 of 2018

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1. Meena Devi and Anr W/o Madan Ram R/o Village- Mahvir Tola Chuhaichak, Dhanauth, P.O- Sahaynagar, P.S.- Danapur. District- Patna, at present residing at Village- Hasanpura, P.O- Phulwarisharif, P.S- Anishabad Phulwari, Patna
 2. Renu Devi W/o Manoj Thakur R/o Village- Chulhaichak, Mohalla- Mahavir Tola, Mauza- Dhanauth, P.O.- Sahay Nagar, P.S- Danapur, District- Patna

... .. Petitioner/s

Versus

1. The Union Of India
2. The State of Bihar through Chief Secretary, Government of Bihar, Patna
3. Chief Engineer Construction, East Central Railway, Mahendru Ghat, Patna
4. Deputy Chief Engineer Construction, Eastern Railway, Digha Ghat, Patna
5. Deputy General Manager, East Central Railway, Danapur
6. Chief Administrative Officer, East Central Railway, Mahendru Ghat, Patna
7. District Magistrate, Patna
8. District Land Acquisition Officer, Patna

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Vishal Saurabh, Advocate
	:	Mr. Sujit Kumar Sinha, Advocate
For the State	:	Mr. Vivekanand Singh, AC to GP-18
For the UOI	:	Dr. Anjani Prasad Singh, CGC

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 04-11-2025 Heard the parties.

2. The present petition has been preferred for the grant of following relief(s):

“(i) For direction to the official Respondents to provide job by way of appointment as per their policy decision/Guideline taken by Respondent



Authorities to provide job in Railway to one person per family whose 50% of land or 0.2 Acres which ever less has been acquired or whose residential accommodation is acquired shall be treated to have been physically displaced or their livelihood materially affected shall be given employment in the Railway and as the pucca house of petitioners have been acquired hence they are entitled to get job in Railway.

(ii) For direction to the official Respondents to provide job in the Railway in light of the order dated 27.09.2012 passed in CWJC No. 8283/2005 (Amod Kumar & Ors. Vs. Union of India & Ors.) and in CWJC no.15820/2007 (Yadunandan Prasad & Ors. Vs. U.O.I & Ors.) dated 10.10.2012 passed by Hon'ble Mr. Justice Ajay Kumar Tripathi (as his Lordship then was).

(iii) For further direction to the official Respondents that they should adopt same parameters in giving employment to the



petitioners as has been done in the case of Sonapur end, there shall be no discrimination in providing job to the displaced persons on the ground of territorial jurisdiction or delay occurred due to laches and negligence on the part of official Respondents.

(iv) The Respondent Authorities be further directed that they cannot improvise the Article 14 of the Constitution of India according to their own convenience and they cannot adopt pick and choose method in providing job to the similarly situated persons as has been done in case of Sonapur end and other similarly situated persons of Patna end.

(v) For that Railway Authority cannot deny Job on false ground that the land of the Petitioners which have been acquired is less than 20 decimal as a matter of fact residential accommodation of petitioners have been acquired and as such Petitioners are entitled to get job according to their own guideline of Railway.”



3. Though Indian Railways has not filed any reply, it has come up with a document dated 11.11.2019 and the important part of the said document clearly show that Indian Railways has withdrawn their decision to grant employment to those affected by the acquisition of the land. The specific paragraph read as follows :

2 (i) Ministry of Railways' earlier policy of offering appointment in Railways to affected land-losers vide references above is withdrawn and circulars issued in this regard vide reference above stand superseded.

4. Learned counsel for the petitioner submits that the said matter is presently pending before Hon'ble the Apex Court and the final order has not come.

5. Till an order comes from an appropriate Court, the decision of the Indian Railways have to taken note of. It has clearly withdrawn the circulars issued relating to the job to the land-losers.

6. Learned counsel for the petitioner submits that this has come in the year 2019, his land was taken much before the said order which came into existence.

7. The petitioner if so want can approach appropriate



authority for the redressal of the grievance. So far as this Court is concerned, it is convinced that for the present, till any order comes benefiting the petitioner, no relief can be granted to her.

8. The writ petition is disposed of with the aforesaid observation.

(Rajiv Roy, J)

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