

WPA(P) 108 of 2025
RAM RABON PAUL
VS.
UNION OF INDIA AND ORS.

Mr. Arindom Chatterjee, Adv.
Mr. Arinjay Pal, Adv.
Mr. Ranit Mukherjee, Adv.

...For the Petitioner

Mr. Anirban Ray, G.P.
Mr. Sk. Md. Galib, Sr. Govt. Adv.
Ms. Sujata Mukherjee, Adv.

...For the State-Respondent

1. Affidavit-of-service filed by the learned advocate appearing for the petitioner is taken on record.
2. The writ petitioner is praying for a direction upon the authorities in particular the Railway administration to immediately take steps for laying down railway track/lines in respect of (i) Diamond Harbour (Gurudas Nagar) to Bakhrahat (21 k.m.) and (ii) from Bankrahat to Nangi via Chawkgopal (9.75 k.m.) without any further delay. However, the petitioner seeks for direction upon the District Magistrate (L.A. and the Secretary, Department of Land and Land Reforms) being the respondent No.3 and 4 to acquire the necessary land for establishment of the railway project. In this regard, report has been given to the authorities on 20th January, 2025 and since no action has been taken, the petitioner has filed this writ petition. In the annexure to the said writ petition the

petitioner has enclosed a letter written by the Hon'ble Minister of Railways, Communication & Electronics and Information Technology, Government of India to the Chief Minister, State of West Bengal wherein it has been mentioned that the Government of India has given a high priority to the expansion of railway network to provide improved rail facilities as well as socio-economic growth across the country which will also add immensely to the development of West Bengal. Further, the communication states that the Railway infrastructure project costing to Rs.50,915 crore are in progress in the State of West Bengal and the highest ever budget outlay of Rs.11,970 crore has been allotted for financial year 2023-24. However, most of the railway projects falling fully/partly in West Bengal and not progressing due to non-availability of the requisite land. Further, the communication states that the Railways has initiated efforts for acquisition of lands for most of the sanctioned projects but could not succeed in acquiring lands for these projects. Enclosure of the said letter shows that there are as many as 61 projects. Therefore, support of State of West Bengal is essentially required for the said project and request suitable instructions to be given to the concerned officers to execute the process of land acquisition so as to maximum of the projects can be taken up.

3. The learned government counsel has produced written instruction given by the State and the Additional District Magistrate (L.A), South 24 Parganas wherein it is stated that as per office record only a copy of alignment plan and land plan of new railway line in the route (1) Kulpi to Gurudas Nagar (Diamond Harbour) (2) Gurudas Nagar to Bakarhat (3) Bakarhat to Pujali (4) Pujali to Uluberia has been received from the Deputy Chief Engineer/Con/II/Eastern Railway, Sealdah vide Memo dated 9th August, 2016 and no further proposal on behalf of the Railway has been received. The alignment plan has been drawn by the Eastern Railway, Construction department as early as on 9th January, 2016. Therefore, the Railway should consider the representation and take a decision as to how best the projects can be implemented. Court is conscious of the fact that for such infrastructure project the court cannot issue positive direction but considering public interest involved a genuine effort may be taken by the Railway administration and the State of West Bengal so that the public of the State are benefitted. Accordingly, the writ petition is disposed of directing 3rd Respondent to consider the representation and to take appropriate action in accordance with law and also address the appropriate authority, the State of West Bengal about the cost of proposed Railway project in the area in question. Such decision be taken by the Railway administration as

expeditiously as possible, preferably within four months from the date of receipt of server copy of this order.

4. With the above observation, the writ petition is disposed of.
5. Urgent Photostat certified copy of this order, if applied for, be given to the parties, on priority basis, upon compliance of all necessary formalities.

(T.S. Sivagnanam)
Chief Justice

[Chaitali Chatterjee (Das), J.]