

W.P.C.T. 89 of 2025

**Anowara Begum & Anr.
Vs.
Union of India & Ors.**

Mr. Mahadeb Ghosh,
Mr. Pritam Ghosh

...for the Petitioners

1. Affidavit-of-service filed on behalf of the petitioners is taken on record.
2. Heard the learned counsel for the petitioners.
3. The petitioners claim that their lands were acquired in 2001. The petitioners thereafter have raised their claim for appointment as land losers before the Railway authorities.
4. The alleged acquisition of the petitioners' lands done in 2001, has been raised for obtaining the benefit under a Notification for land losers, issued much later, in the year 2010 by filing an O.A. before the Central Administrative Tribunal, Kolkata Bench in the year 2023. The Notification dated 16.07.2010 in paragraph 8 clearly specifies as follows:

“8. These instructions normally will not be applicable in those cases where land acquisition process has been concluded by way of possession of land by Railway.”

5. In view of the specific provision contained in the Notification of 2001 and there being no assertion by the petitioners that the possession was not taken over prior to issuance of the notification, there was no scope for the Central Administrative Tribunal, Kolkata Bench (hereinafter to referred to as 'the C.A.T.') to interfere with the order passed by the respondents rejecting the petitioners' claim.
6. We have asked the learned counsel for the petitioners in the present proceedings also to point out on which date the possession of the petitioners' land was taken over. He has not been able to show any assertion that possession was taken over after 2010 or after coming into force of the Notification dated 16.07.2010. He only submits that some compensation amount was paid in 2017.
7. We, therefore, find no reason to interfere with the order dated 22.09.2023 passed by the C.A.T. in O.A. No. 1236 of 2023.
8. The Writ Petition being **W.P.C.T. 89 of 2025** is dismissed.

(Madhuresh Prasad, J.)

(Supratim Bhattacharya, J.)