

28th July, 2025
(D/L No.154)
Ct. No.4
(SKB)

W.P.C.T.121 of 2023

Anup Kumar Khanra and others
Versus
Union of India and others

Mr. Surajit Samanta,
Ms. Sohini Samanta,
Ms. Aparajita Bhowmick
... for the petitioners.

Mr. Souvik Nandy,
Mr. Subrata Santra
... for the U.O.I.

1. The affidavit-in-opposition and the reply filed in court today are taken on record.
2. The authorities have been raising objections regarding the eligibility of the present petitioners for being appointed under the land loser policy.
3. Pursuant to an earlier order passed in the present proceedings, five out of nine present writ petitioners have already been offered appointment. The other remaining namely, petitioner nos.1, 5, 7 and 9 have not been considered favourably on account of their being over-age.
4. The learned counsel for the petitioners draws attention of this court towards an order passed in CPAN 1258 of 2019 in WPCT 74 of 2016 and other cases wherein the co-ordinate Bench of this court has directed as under:

“We therefore, direct the respondent authorities to process the application in terms of the order dated 08.02.2013 without taking any other plea relating to the upper age limit or the educational qualification and the entire exercise

shall be done within 6 weeks from the date of the communication of this order. We have keeping in the contempt application pending though all other applications are disposed of by the impugned order in order to ascertain the act of the Railway Authorities in this regard. Liberty is granted to the parties to pray for listing of the matter if the circumstances so warrant.”

5. The learned counsel for the Railways has tried to oppose the claim of the petitioners, on which we are not inclined to entertain as it does not lie in the mouth of the respondents to pick and choose in the matter of grant of benefit under the land looser policy. Since they have complied with the directions issued in favour of the petitioners in CPAN 1258 of 2019, extracted above, we dispose of the present writ petition in the same terms by directing that the authorities should process the applications of the petitioner nos.1, 5, 7 and 9 without taking any plea relating to upper age limit or the educational qualification. The entire exercise is to be completed within a period of eight weeks from the date of communication of this order.
6. Urgent photostat certified copy of this order, if applied for, be given to the parties on usual undertakings upon compliance of all necessary formalities.

(Madhuresh Prasad, J.)

(Supratim Bhattacharya, J.)