



IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No.5649 of 2020

Nirmalya Majumdar

....

Petitioner(s)

*Mr. Yeeshan Mohanty, Sr. Adv.
along with associates*

-versus-

East Coast Railway & Ors.

....

Opposite Party(s)

*Mr. Prasanna Kumar Parhi, DSGI
Mr. P. Bharadwaj, CGC*

CORAM:

HON'BLE DR. JUSTICE S.K. PANIGRAHI

Order

No.

ORDER

11.03.2025

11. 1. This matter is taken up through hybrid arrangement.
2. The Petitioner has filed this Writ Petition challenging the order of cancellation of lease dated 24.03.2010 passed by the Sr. Section Engineer (Work), East Coast Railway, Cuttack vide Annexure-10 and the order dated 06.08.2019/ Annexure-16 issued by the Senior Divisional Engineer (East) E.Co. Railway, Khurda Road.
3. Heard learned counsel for the Parties.
4. Learned counsel for the Petitioner submits that the Petitioner being a shopkeeper is running a shop near the Cuttack Railway Station, Cuttack under the East Coast Railway since last forty years on the basis of an agreement executed between the Petitioner and the Opposite Parties. He further contends that the Opposite Parties without providing



any opportunity of hearing to the Petitioner have issued the notice of eviction/demolition to the Petitioner.

5. At this juncture, learned counsel for the Opposite Parties/Railways submits that the Railways is in a need of more land for expansion of its Railways project and creation of other Railways amenities as per its new land lease policy.

6. Considering the factual scenario of the case and submissions made, this Court is of the view that demolition of the Petitioner's shop room is imminent as the Railways shall require more land in future for the above purpose. However, the Opposite Parties/ Railways shall try to accommodate the Petitioner, if there is availability of any vacant land in and around the Cuttack Railway Station, Cuttack. However, it is further directed that if the Opposite Parties/ Railways remains non-committal to provide a vacant land to the Petitioner, the Opposite Parties/ Railways shall find out some vacant land where the Petitioner can be accommodated so that the livelihood of the Petitioner shall not be in jeopardy.

7. This Writ Petition is, accordingly, disposed of.

(Dr. S.K. Panigrahi)
Judge

Ayaskanta