

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO. 1420 OF 2020

Rashtriya Shikshan Sanstha,

Manmad, Nashik and Ors.

.....PETITIONERS

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General Manager, Central Railways

and Ors.

....RESPONDENTS

Mr. Drupad Patil i/b. Mr. Devashish Godbole, for the Petitioners.

Mr. R.V. Govilkar, Senior Advocate with Mr. T.J. Pandian, Mr. Gautam Modanwal, Ms. Noorjahan Khan and Ms. Shaba Khan, for the Respondents.

CORAM : SANDEEP V. MARNE, J.

Reserved On: 27 NOVEMBER 2025.

Pronounced On: 09 DECEMBER 2025.

JUDGMENT :

1) By this Petition, Petitioner challenges the judgment and order dated 30 January 2020 passed by the learned Principal District Judge, Nashik dismissing Regular Civil Appeal No. 233 of 2019 and thereby confirming the eviction order dated 19 August 2019 directing eviction of the Petitioner from the premises of Railways under the provisions of Public Premises (Eviction of Unauthorised Occupants), 1971 (**Public Premises Act**).

2) Briefly stated, facts of the case are that for catering to the needs of children of railway employees working at Manmad, the then Great Indian Peninsula Railway (GIP) permitted the godown of Manmad Workshop to be used for setting up a school at nominal rent of Rs.1/-. Accordingly, the school was started in the godown premises near Railway Station on 3 July 1922 under the name Great Indian Peninsula Indian High School. A grant of Rs.80 was given by the GIP per mensem towards expenses of staff of the school. On 27 May 1926, GIP granted Rs.100/- for setting up a garden at the school. Grant of Rs.1,000 was also sanctioned for library and reading room for teachers, gymnasium etc. On 7 June 1929, Bridge Engineer, Manmad was nominated as ex-officio Chairman of the Committee of the School. On 15 January 1934, society under name Indian Education Society was registered which was headed by Senior Railway Officer as President. According to the Petitioner, General Manager of GIP Railways waved the condition for execution of agreement between the society and railways. After coming into effect of the Maharashtra Public Trusts Act, 1950, the Society was registered as a Public Trust with the name Rashtriya Shikshan Sanstha. The name of the School was later changed as 'Rashtriya Central Railway High School'. In 1975, the School received government approval for commencement of Junior College, (11th and 12th grades). On 23 February 1995, bye-laws of the society were approved by the Charity Commissioner by sanctioning the Change Report.

3) This is how the Petitioner contends that the School is running in the Railway premises since the year 1922. On 10 July 2018, Estate Officer of the Central Railways issued notice for eviction of the society alleging that occupation of land and building by it was unauthorised. The Society filed Regular Civil Suit No. 293

of 2018 in the Court of Civil Judge Senior Division, Malegaon seeking injunction. In the suit, application for temporary injunction was rejected by order dated 6 December 2018, inter-alia on the ground of bar of jurisdiction of Civil Court. The Petitioners filed Misc. Civil Appeal No.34 of 2018 before the District Court which was dismissed on 31 December 2018. The Petitioners filed Writ Petition No. 3902 of 2019 challenging the order of rejection of temporary injunction, which was disposed of by order dated 7 June 2019 granting liberty to the Railways to initiate proceedings under the provisions of Public Premises Act. Accordingly, Estate Officer of Railways issued notice under Section 4 of the Public Premises Act to the Petitioner on 12 June 2019. Petitioner submitted reply to the notice. The Estate Officer passed order dated 19 August 2019 directing eviction of the Petitioner on the grounds of the land belonging to Railways, School being situated at a distance of 3 mtrs from foot-over-bridge and 10 meters from railway track and there being no affiliation of any railway official with the Petitioner-Society. Petitioner filed Regular Civil Appeal No. 233 of 2019 before the learned District Judge who has proceeded to dismiss the same by order dated 30 January 2020. Aggrieved by the order passed by the learned Principal District Judge, the Petitioner has filed the present Petition.

4) By order dated 12 February 2020, this Court recorded statement on behalf of the Railways not to execute the eviction order. The said statement was continued from time to time. During the course of hearing of the Petition on 2 June 2020, when Covid-19 lockdown restrictions were operational, Petitioner pressed Application for stay of the impugned order which was opposed by the Respondent-Railways in order to ensure that Petitioner does not secure an unfair advantage on account of continuation of

lockdown. This Court stayed the eviction till hearing of the Petition subject to the condition of non-admission of any students for further academic sessions without express permission of the Court. Petitioner accordingly applied for permission to admit new students stating that the newly admitted students would be imparted education exclusively outside the disputed premises. Accordingly, this Court, by order dated 7 August 2020, permitted induction of new students on condition of imparting education outside the disputed premises. This is how the school continues to function in the disputed premises. In pursuance of one of the orders passed by this Court, Petitioner has filed additional affidavit stating, inter-alia the position of students admitted in the school upto the Academic Year 2023-24.

5) Mr. Patil, the learned counsel appearing for the Petitioner submits that the learned Principal District Judge has erred in dismissing the Appeal of the Petitioner without appreciating the position that Petitioner's occupation of railway premises cannot be termed as 'unauthorised occupation' within the meaning of Section 2(g) of the Public Premises Act. That Petitioner's occupation is not without any authority since the school is permitted to be set up by Railways in the premises and that therefore Petitioner cannot be treated as an encroacher on the railway line. That the authority granted to the Petitioner to occupy premises has not expired in any manner. That such authority is also not terminated by issuance of any communication to the Petitioner. That since the authority to occupy premises is not determined in any manner, the Petitioner cannot be treated as unauthorised occupant for being evicted under the Public Premises Act.

6) Mr. Patil would further submit that the act of the Estate Officer in issuing direct notice for eviction to the Petitioner is in violation of principles of natural justice. That before initiation of eviction proceedings, no opportunity was given to the Petitioner. In support of his contention that eviction proceedings cannot be initiated without following the principles of natural justice, Mr. Patil would rely upon judgment of the Apex Court in Management of M/s. Nally Bharat Engineering Co. Ltd Versus. State of Bihar and Ors.¹.

7) Mr. Patil would further submit that Respondents, being Government Authority, has duty to act fairly and cannot seek to arbitrarily evict the Petitioner, who is occupying the railway premises with lawful authority. In support of his contention that Government Authority is not supposed to act arbitrarily or capriciously, Mr. Patil would rely upon judgment of the Apex Court in State of U.P. and others Versus. Maharaja Dharmander Prasad Singh and others². Lastly, Mr. Patil would submit that eviction of Petitioner and demolition of existing school is not the only option left for the Respondents. That the case involves the issue of educational prospects of thousands of children who would be adversely affected by the decision of the Estate Officer. That being a State within the meaning of Article 12 of the Constitution of India, Respondents have the duty to act fairly and accommodate Petitioner in some alternate premises rather than mechanically ordering their eviction.

8) Mr. Patil would submit that no reasons are recorded in the impugned eviction order for treating the Petitioner as unauthorised occupant and no additional reasons can be

1 {1990} 2 SCC 48

2 {1989} 2 SCC 505

supplanted for justifying eviction order as held by the Constitution Bench in *Mohinder Singh Gill and another Versus. The Chief Election Commissioner, New Delhi and Others.*³ Mr. Patil would accordingly pray for setting aside the impugned judgment and order passed by the learned District Judge, as well as eviction order.

9) The Petition is opposed by Mr. Govilkar, the learned Senior Advocate appearing for Respondent-Railways. He would submit that the Petitioners have no authority to occupy railway premises. That an informal permission for running the school in the railway premises was initially granted since railway officials were part of the Committee managing the School. Later, the affairs of the School were taken over completely by a private management and that the school does not have any connection as such with the Railways. That therefore the management cannot continue to occupy the railway premises forever and must vacate the same since the land is required for setting up essential passengers services at Manmad Railway Station. He would submit that the Railways have undertaken construction of a new foot-over bridge, which lands right into the land where the playground of the school is located. He would submit that the School building stands now completely on the platform. That it is otherwise dangerous to impart education to children on a school standing on platform. That Manmad is a crucial junction for Railways involving heavy traffic of passengers and goods train requiring robust infrastructure. That Respondents are unable to set up the requisite infrastructure needed for railway operations on account of unauthorised occupation of premises by the Petitioner next to the Railway Station.

3 (1978) 1 SCC 405

10) Mr. Govilkar would submit that Railways have followed due process prescribed under the Public Premises Act while directing eviction of the Respondent. That there is no requirement for issuance of letter/communication before issuance of notice under Section 4 of the Public Premises Act. That Petitioner is not a licensee of Railways whose license was required to be terminated by an independent letter/communication. Mr. Govilkar would rely upon judgment of this Court in *Shivamoori Jagatdev Kushwaha Versus. Assistant Division Engineer and others*⁴ in support of the contention that there is no necessity of bringing to an end authority to occupy the railway premises before initiation of the eviction proceedings. Without prejudice, Mr. Govilkar would submit that letter dated 10 July 2018 issued prior to initiation of eviction proceedings clearly constituted notice to the Petitioner of termination of the authority to occupy the railway premises, if it is held that any communication to that effect was necessary. That the said letter dated 10 July 2018 became subject matter of substantive suit filed before the Civil Court, orders passed wherein were challenged before this Court. That therefore it is ludicrous on the part of the Petitioner to contend that it did not have notice of termination of authority to occupy railway premises. Relying on provisions of Government Grants Act, 1895 Mr. Govilkar would submit that the provisions of Transfer of Property Act, 1882 do not apply to government grants. That therefore Petitioner cannot claim any rights in capacity as lessee, tenant or as licensee under the Transfer of Property Act, 1882.

11) Lastly, Mr. Govilkar would submit that Respondents do not have any obligation to provide alternate land/premises to the Petitioner. He would rely upon Railway Board Circular dated 5

4 Writ Petition No. 6821 of 2022 decided on 20 August 2025

November 2001 in support of the contention that no lease of railway land can ever exceed 30 years except in land leased out to Kendriya Vidyalaya, which can have lease period for 99 years. Therefore, even if it is assumed that there is a lease in favour of the Petitioner in respect of the railway land, the same cannot continue beyond 30 years. That it is more than 100 years that Petitioner has been occupying railway land, which is needed by the Railways for expanding of infrastructure at Manmad station. Mr. Govilkar would accuse Petitioner of admitting new students in the school run at the railway premises in violation of interim orders passed by this Court. He would submit that the school is being run by private management having no semblance of relation with the railways. That therefore such private school cannot be permitted to be run on railway land. He would pray for dismissal of the Petition.

12) Rival contentions of the parties now fall for my consideration.

13) Petitioner runs a school in the railway premises located in the vicinity of Manmad Railway Station and has faced eviction order passed under the provisions of the Public Premises Act. The Petition is filed after unsuccessful attempt to challenge the eviction order before the learned Principal District Judge.

14) The first contention raised by the Petitioner is that for initiation of proceedings under the Public Premises Act, the person/entity against whom the proceedings are initiated must fit into the definition of the term 'unauthorised occupation' within the meaning of Section 2(g) of the Public Premises Act. The term 'unauthorised occupation' is defined under Section 2(g) of the Public Premises Act as under :-

(g) "unauthorised occupation", in relation to any public premises, means the occupation by any person of the public premises without authority for such occupation, and includes the continuance in occupation by any person of the public premises after the authority (whether by way of grant or any other mode of transfer) under which he was allowed to occupy the premises has expired or has been determined for any reason whatsoever.

15) According to the Petitioner, their occupation of the railway premises cannot be termed as 'unauthorised occupation' within the meaning of Section 2(g) of the Public Premises Act. Definition of the term 'unauthorised occupation' covers three instances where (i) the occupation is without authority, (ii) continuation of occupation is after expiry of authority or (iii) continuation of occupation is after determination of authority. According to the Petitioner, the case does not fit into the first eventuality as Petitioners were authorized to occupy the railway premises by the then said GIP and the said authority has subsequently been continued by the Indian Railways/Central Railways. There appears to be not much difficulty about this position as it is not the case of the Railways that Petitioners have encroached upon the railway land without any authority. The School operations apparently commenced to cater to the educational needs of railway employees at Manmad. It was apparently a combined effort by railways and railway employees to set up a school which is a reason why during initial days, a Senior Railway Officer was ex-Officio Secretary/Chairman of the School Committee. Over the period of time however, the School Management has got transferred completely to a private management. There is no dispute to the position that Railways has not been playing any role in operation or management of the School over the last several years. Be that as it may, suffice it to conclude that Petitioners are not encroachers on the railway property.

16) However, the present case would squarely fit into the other two eventualities where the authority to occupy railway premises by Petitioners has either expired or has been determined. Railways do not desire to continue occupation of their premises by the Petitioners. Occupation of premises by the Petitioners is permissive in nature since no express document is executed, no specific order of grant is made in favour of the Petitioners, on the strength of which they can continue to exercise any rights in respect of the land or the building. Therefore, occupation of the premises by Petitioners will have to be necessarily treated as mere permissive occupation. Railways have now revoked the permission and do not desire that the School should be operated in their premises.

17) Petitioners have raised an objection that authority to occupy premises has not been determined by any express letter/communication. It is contended that issuance of a letter terminating authority to occupy railway premises is sine-qua-non for maintaining a valid eviction action under the Public Premises Act. I am unable to agree. Termination of authority to occupy railway premises may be necessary in a case where there is valid and continuing arrangement recognized by express document like lease or license. If Railways was to grant lease of the land in favour of the Petitioner and during subsistence of lease, Railways wanted eviction, it would be necessary to first determine the lease and thereafter initiate eviction proceedings by issuance of notice under Section 4 of the Public Premises Act. However, when there is continuing arrangement for occupation of premises by the Petitioner, it is not necessary to bring an end such arrangement by issuance of any specific letter or communication. In my view, therefore considering the peculiar facts and circumstances of the case, where Petitioners are continuing to occupy railway premises

merely as permissive users, their expectation of determination of such permission by an express communication is clearly erroneous.

18) Even otherwise, the ultimate objective of issuance of any express communication for determining or terminating permission is to make the factum of withdrawal of permission known to the permissive user. In the facts and circumstances of the present case, Petitioners cannot contend that they were taken by surprise by issuance of notice dated 12 June 2019 under Section 4 of the Public Premises Act. There is precursor to the said notice. Respondents had earlier issued a notice dated 10 July 2018 calling upon Petitioners to vacate the railway premises. The said notice led to a filing of a civil suit. Thus, Petitioners were fully aware, much prior to issuance of Section 4 notice, that the Railways were not desirous of continuing the authority to occupy the premises. Thus, the objective behind issuance of express communication for determination of authority is fully achieved in the present case.

19) I am not impressed by the contention raised on behalf of the Petitioners that even earlier notice dated 10 July 2018 was issued under the Public Premises Act or that therefore the same cannot be treated as determination of authority to occupy the premises within the meaning of premises under Section 2(g) of the Public Premises Act. As observed above, Petitioners are not holders of any lease or license. They are not permitted to occupy premises upto a particular tenure. This is not a case where tenure of lease/license is continuing and that railways are seeking to recover possession of the premises during continuance of lease/license. Therefore, strict requirement of issuance of notice of termination is not a sine-qua-non in the facts and circumstances of the present case. What was needed was just expression of intention of determination of authority to occupy the premises. Such intention

is clearly expressed and communicated to the Petitioner in the form of notice dated 10 July 2018 and therefore it is difficult to accept the contention of the Petitioners that the eviction proceedings are rendered illegal on account of non-issuance of any express communication terminating the authority to occupy the premises.

20) In *Shivamoori Jagatdev Kushwaha* (supra) similar argument was raised before this Court that there was no lawful termination of allotment. In case before the learned Single Judge of this Court, the notice under Section 4 of the Public Premises Act was issued without issuing any separate notice of termination of allotment of railway premises. The eviction order was challenged, inter-alia, on the ground that in absence of lawful termination of allotment by a termination notice, it was impermissible to initiate eviction proceedings. This Court repelled the contention by holding in paras-29 to 31 as under :-

29. Nonetheless, this Court considers it appropriate to briefly delve into the aforesaid grounds of exception to the impugned order, assiduously canvassed by Mr. Sanglikar. An effort was made by Mr. Sanglikar to draw home the point that the allotment in favour of the society was not lawfully terminated. Attention of the Court was invited to an admission in the cross-examination of PW-1 that the Railways had not issued a termination notice as such. Taking the Court through the contents of the notice dated 18th October 2017, styled as departmental show cause notice, Mr. Sanglikar, would urge that the said notice can never be construed to be a termination notice.

30. The learned Principal Judge was not persuaded to accede to the aforesaid submission. The learned Principal Judge was of the view that a notice of termination need not be construed very strictly. This view of the learned Principal Judge is legally impeccable. It is well-recognized the title or nomenclature of a document is not of decisive significance. If the notice dated 18th October 2017 is read as a whole, it becomes abundantly clear that the Railways had called upon the society as well as the Petitioner to vacate the subject premises. The notice refers to the acts of commission and omission on the part of the society in breach of the terms and conditions of allotment. The society was specifically informed that the society had entered into the Conducting Agreement with the Petitioner in breach of the terms and

conditions of the allotment of the subject premises and without the consent and knowledge of the Railways. Qua the Petitioner, it was categorically stated that the Petitioner (Noticee No.2) had no legitimate right to continue to occupy the Railways property. The occupation of the Petitioner was wholly unauthorized. The society and the Petitioner were put to notice that they were liable to be evicted under the Public Premises Act 1971.

31. If the notice dated 18th October 2017 is read a whole, it becomes abundantly clear that the Railways has adverted to all the material facts, including the breach on the part of the society and the nature of the occupation of the Petitioner, the cause which constrained the Railways to seek vacant possession of the subject premises. Therefore, the submission on behalf of the Petitioner that there was no lawful termination of allotment does not carry any substance.

21) Thus in *Shivamoori Jagatdev Kushwaha*, letter issued to the society about unauthorised agreement with the Petitioner therein was treated as sufficient intimation of unauthorised occupation and termination of authority to occupy, even though the letter was not styled as 'termination notice'. This Court held that mere title or nomenclature is not decisive of a document. Therefore, in the present case also, the earlier notice dated 10 July 2018 (even though the same was issued under Section 4 of the Act), constituted sufficient knowledge on the part of the Petitioners that the permission to occupy was revoked. In my view therefore it cannot be contended that occupation of premises by Petitioners does not fit into definition of the term 'unauthorised occupation' within the meaning of Section 2(g) of the Public Premises Act.

22) The second contention raised by the Petitioners is that initiation of proceedings without issuance of any notice amounts to violation of principles of natural justice. The reasoning adopted while deciding the first contention would equally apply to the second contention raised by the Petitioners. There is no necessity of giving any prior notice to the Petitioner for initiation of eviction proceedings. Public Premises Act does not mandate issuance of any

such prior notice before initiation of eviction proceedings. Reliance by the Petitioner on judgment of the Apex Court in **Management of M/s. Nally Bharat Engineering Co. Ltd** (supra) is clearly misplaced. The case arose out of transfer of proceedings from one Labour Court/Tribunal to another and need to grant pre-decisional hearing. It is held by the Apex Court that affording of opportunity of pre-decisional hearing before transfer of proceedings from one Labour Court to another was required. The ratio of the judgment would have no application to the facts of the present case where notice issued under Section 4 of the Public Premises Act by itself amounts to following of principles of natural justice. Additionally, in the present case, Petitioner was given intimation of unauthorized occupation of railway premises in the form of earlier notice dated 10 July 2018.

23) The third contention raised on behalf of the Petitioner is about duty to act fairly on the part of Railways in the present case. In my view this contention is stated only to be rejected. Merely because a School is being run in the disputed premises, it would not mean that it can function endlessly regardless of requirement of Railways of the land for infrastructural purposes. Railways also have duty towards members of public as well by providing requisite infrastructural facilities at the Railway Station. The private interest of the Petitioner-Management to run a School in the Railway premises cannot take precedence over the general public interests of having the requisite infrastructural facilities for running of railway operations and also in not having a school on the platform of a Railway Station.

24) It cannot be contended by any stretch of imagination that Respondent-Railways are acting unfairly or arbitrarily in

expecting Petitioners to move out their School from the Railway premises. It is not that the Railways are seeking to evict the Petitioners without any reason. It is also not that the requirement pleaded by the Railways is fanciful. It is also not that the railways are arbitrarilly seeking possession of whole school eventhough possession of part of the premises could be sufficient. In fact the railways have acted fairly in the present case. In the past when part of the land was needed, they only secured that portion of land from the school instead of seeking possession of the entire school premises. However now, it is impossible for railways to permit running of the school in view of landing location of the footover bridge in the premises of the school and requirement of adjoining premises to handle the flow of passengers using the said bridge. In fact, running of the School at proximity of railway tracks and right on the railway platforms is against the interest of the students. Continuation of the School at the present premises would in fact be detrimental to the interests of the students. Just because it suits the interest of the private Management in using premises free of cost, does not mean that the Railways are acting unfairly by directing Petitioners to move out from its premises. Therefore, the contention of Respondents failing to perform their duty to act fairly deserves outright rejection.

25) It is contended by the Petitioners that eviction of Petitioners is not the only option available to the Respondents for satisfying their need of land for expanding infrastructural facilities at Manmad Railway Station. It is contended that Petitioners could have been directed to vacate part of the premises commensurate to the land required by the Railways while the school can still continue in the remaining premises. Alternatively, it is suggested that being a public authority, it is the duty of Railways to provide alternate land for running of the School. Both the contentions do

not appeal to this Court. Petitioners cannot dictate terms to Railways. They cannot decide the quantum of land/premises necessary for expansion of infrastructural facilities at the Railway Station. Also, there is nothing on record to indicate that Railways have any obligation to provide alternate land to the Petitioners.

26) Mr. Govilkar has in fact placed on record photographs which depict precarious condition in which the School is being run by the Petitioner-Management. The School is right on the platform of Manmad Railway Station. Railways have undertaken construction of new footover-bridge which terminates right in the school premises. Construction of the foot-over bridge is at an advanced stage and if Petitioners do not vacate the premises, the bridge cannot be made operational. The surrounding land would be required by the Railways and by the passengers for movement, as well as, for parking. Thus, apart from genuine need of Railways, running of school in the existing premises is otherwise not in the interest of students. If Petitioner-Management is keen on providing educational activities to the students, it must take immediate steps for relocation of the School in some other premises as it is otherwise dangerous to run a School at close proximity to railway tracks and railway platform.

27) It is also seen that the activities of Petitioner-School are reducing with passage of each year. There appears to be substantial reduction in the strength of students during past 25 years. This is clear from the figures disclosed by the Petitioners by way of additional affidavit. From the said information, it appears that the students strength has gradually dwindled from over 2000 students to just about 800 students with passage of time. For the last five long years, Petitioners are restrained by this Court from admitting any new students for imparting education from the disputed

premises. This would further reduce the student strength. It is difficult to comprehend as to how the Petitioner-Management is admitting new students with restriction of imparting them education from the disputed premises. It has apparently made some arrangements for accommodation of students admitted in last 5 years in some other premises or, as contended by Mr. Govilkar, they have breached the interim order of this Court and are imparting education to such newly admitted students from the disputed premises. However, one thing is certain that the school operations are already hampered for the last 5 years on account of restriction of imparting education to newly admitted students. If the school has made alternate arrangements for imparting education to students admitted in last 5 years (which would, by now, constitute a fairly large number), they can make such alternate arrangements for remaining students as well. The purpose of initiation of litigation by the management has served as it has successfully delayed eviction for the last 7 long years and has made alternate arrangements in the meantime. Be that as it may. It is high time that the Petitioners move out of the disputed premises. However, it is clarified that the discussion over Petitioner's ability to make alternate arrangements or operation of the school on platform being adverse to the interest of the students are not the main factors for deciding the present Petition. These aspects are discussed only for the purpose of dealing with Petitioner's contention of eviction order adversely affecting interests of the students. Petitioners otherwise do not have any legal right to remain in occupation of the railway premises.

28) Considering the overall conspectus of the case, I am of the view that no serious flaw can be traced in the order passed by the learned Principal District Judge. Pendency of proceedings have already enabled the Petitioners to occupy the premises for the last

7 years. They cannot occupy the premises endlessly. Time has come for them to make alternate arrangements for either running of the school from some other premises or for transfer of the students to other schools. From additional affidavit, it appears that some arrangements are already made or attempted to be made by the Petitioners. Some reasonable time can be granted to the Petitioners for making such alternate arrangements. However, considering the fact that the completion of work of foot over bridge would get held up thereby inconveniencing the railway operations and increasing the financial burden for railways, it is also expedient that the time to vacate cannot be unreasonably long. Such time can be till end of the current academic year.

29) In my view, therefore no case is made out for interference in the impugned judgment and order passed by the learned Principal District Judge or in the impugned eviction order. The Writ Petition therefore deserves to be dismissed.

30) Writ Petition is accordingly dismissed. However, Petitioners are permitted to occupy the premises till 30 April 2026, after which the eviction order shall be implemented in case Petitioners fail to hand over possession of the premises. However, the existing arrangement of continuation of School without any new admissions for imparting education in the disputed premises shall continue to operate only till 30 April 2026. Considering the facts and circumstances of the case, there shall be no order as to costs.

[SANDEEP V. MARNE, J.]