

Court No. - 1

Case :- PUBLIC INTEREST LITIGATION (PIL) No. - 20636 of 2020

Petitioner :- Ram Sewak Vishwakarma

Respondent :- Union Of India Thru.Chairman Railway Board N.Delhi And Others

Counsel for Petitioner :- Nand Kishore,Abhishek Shukla

Counsel for Respondent :- Mrs. Suniti Sachan

Hon'ble Rajan Roy,J.

Hon'ble Manjive Shukla,J.

1. Heard learned counsel for the petitioner, Sri S.B. Pandey, learned Senior Advocate and Deputy Solicitor General of India assisted by Sri Varun Pandey, learned counsel for the opposite parties.

2. The present PIL has been filed seeking following reliefs:-

"(i) issue a writ, order or direction in the nature of mandamus directing the opposite parties to provide the Safety Gate No. C-129 in accordance with law and rules to the public.

(ii) issue a writ, order or direction in the nature of mandamus directing the opposite party no. 3 to provide the facility of Gate No. C-129 which is opened and closed the other other gate of other locality.

(iii) issue a writ, order or direction in the nature of mandamus directing the opposite parties to decide the representation within stipulated time."

3. On 17.11.2020, this Court has passed the following order:-

"The contention is that Gate No. C129 on railway crossing between Sohawal Railway Station and Rasoolpur Railway Station is being kept closed from 6 P.M. to 6 A.M. regularly.

The aforesaid practice was adopted 25 years back but now with the passage of time even in night, there is a lot of traffic and the Gate cannot be permitted to remain closed for the entire night.

Mrs. Suniti Sachan, learned counsel appearing for the respondents may seek instructions in the matter and if necessary file counter affidavit within a month. Two weeks' time thereafter is allowed to the petitioner for filing rejoinder affidavit.

List for admission/final disposal after expiry of the above period."

4. Sri Varun Pandey has received instructions from the

Assistant Divisional Engineer Northern Railway, Ayodhya Cantt. dated 3.9.2024 which inter-alia states that the allegation that the gate remains closed from 6 PM to 6 AM is incorrect. The Railway Administration has implemented a system that ensures the gate is open round the clock and two gate-man deputed by SSE/PWAY/RDL w.e.f. 13.1.2014. This measures was adopted to avoid any disruption to the daily activities of the local populace and to provide them with unhampered access across the railway tracks at all times. The gate operation is managed by a appointed gate-man, who diligently performs his duty ensuring the safety of all road and rail users.

5. The said instructions are taken on record.

6. This petition was filed in 2020, **is disposed of with the aforesaid terms.**

(Manjive Shukla,J.) (Rajan Roy,J.)

Order Date :- 11.8.2025

Anuj Singh