

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.2299 of 2026

Arvind Kumar Gupta alias Arvind Prasad Gupta Son of Late Gopal Prasad,
Resident of Kumhar Tolia, Pachbati Davakhana near Chiraiyatar Pul,
Kankarbagh, Police Station- Kankarbagh, District- Patna.

... .. Petitioner/s

Versus

1. The Union of India through General Manager, East Central Railway, Hajipur.
2. The Chief Technology Officer, East Central Railway, Hajipur.
3. The Senior Section Engineer, East Central Railway, Patna Junction.
4. The District Magistrate cum Collector, Patna.
5. The Circle Officer, Phulwari Sharif, Patna.
6. The Senior Divisional Security Commissioner, Danapur Division, Patna.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Shakti Suman Kumar, Advocate
For the Respondent/s	:	Mrs. Archana Meenakshi, GP-6
For the UOI	:	Mr. Bindhyachal Rai, Advocate

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 10-02-2026 Heard Mr. Rajesh Ranjan, learned counsel for the

petitioner, Mrs. Archana Meenakshi and Mr. Bindhyachal Rai

for the Union of India.

2. The present petition has been preferred for the
following relief(s):

*“i. For issuance of an appropriate writ
in the nature of certiorari for quashing of the
notice dated 20.01.2026 (as contained in
Annexure- P/3) issued by the respondent no. 3
whereby and where under respondent no. 3*



directed the petitioners to remove his house constructed over railway land within 10 days, failing which, the railway administration will demolish the house of the petitioner and he will be responsible for any damage to his goods, on the ground that petitioner has constructed his house over the land belonging to the railway.

ii. For issuance of an appropriate writ in the nature of mandamus that during the pendency of the present writ petition operation of the impugned notice dated 20.01.2026 (as contained in Annexure- P/3) may be stayed and the respondents may be restrained from taking any coercive step against the petitioners.

iii. Any other writ/writs, order/orders or direction/directions as the facts and circumstances of the case may require and deemed fit by this Hon'ble Court may also be issued.”

3. Learned counsel for the petitioner submits that the petitioner is residing under *Mauja – Moharrampur, Thana No. 137, Khata No. 180, Survey Plot No. 21* in the district of Patna and has received a notice dated 20.01.2026 (Annexure-P/3)



issued by the Senior Section Engineer (Works), East Central Railway, Patna Junction (respondent no. 3).

4. Learned counsel for the petitioner further submits that a perusal of the said notice would show that save and except the name that has been recorded in the notice dated 20.01.2026, no details is/are there. The submission is that it is a cryptic notice and fit to be quashed with cost.

5. Mr. Bindhyachal Rai representing the Railways submits that there has been some encroachment but the content is not clear inasmuch as the details are missing.

6. This Court has heard the parties and taken note of the notice dated 20.01.2026. Either the respondent no. 3, Senior Section Engineer (Works), East Central Railway, Patna Junction is ignorant of the procedure for the issuance of notice or has deliberately done, so that it is quashed in the Court of law. In either case, he is accountable to the East Central Railways for such action/inaction.

7. This Court wanted to impose cost upon the concerned creator of the notice but at the insistence of Mr. Bindhyachal Rai, it refrains from doing so.

8. The notice dated 20.01.2026 issued by Senior Section Engineer (Works), East Central Railway, Patna Junction



stands quashed. The respondents have liberty to issue fresh notice in accordance with law.

9. The writ petition stands disposed of with the aforesaid observation.

(Rajiv Roy, J)

Adnan/-

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