

29.06.2026
Item No.87
Ct. No. 19
PG

WPA 11782 of 2026

**Kanhaiya Lal Gupta,
Proprietor of M/s. Gupta Hotel
Vs.
Union of India & Ors.**

Mr. Mrityunjoy Chatterjee
Mr. Manas Das
Ms. Suchismita Chakrabortyfor the petitioner

Mr. Kumarjyoti Tiwari
Ms. Anamika Pandey.....for the railway authority

1. The writ petitioner and the railway authority are represented by their respective learned counsel.
2. In this writ petition an undated eviction notice, copy of which has been annexed at page- 83 of the writ petition is impugned.
3. At the time of hearing, attention of this Court is drawn to the order dated 22.05.2026, as passed by a coordinate Bench of this Court in connection with the instant writ petition. On perusal of the said order dated 22.05.2026, it reveals that the said coordinate Bench after hearing the learned advocates for the contending parties, granted liberty to the writ petitioner to submit a comprehensive

representation before the Divisional Railway Manager, Eastern Railway, Howrah by 4.00 p.m. of May 25, 2026 with a direction to the railway authority to pass a reasoned order upon such representation and for that reason, an order was passed for listing of this matter under the heading 'For Orders'.

4. At the time of hearing, learned advocate for the writ petitioner submits before this Court that the instant writ petition is required to be heard further, even after passing of the reasoned order dated 07.06.2026 since there are sufficient materials to be placed before this Court on behalf of the writ petitioner to substantiate that the railway authority has failed to visualise the stand taken by the writ petitioner that it is a tenant under the Hooghly Nadi Jalapath Paribahan Samabay Samity Limited, which the railway authority in its reasoned order dated 07.06.2026 has failed to visualise.
5. *Per contra:* Mr. Tiwari, learned senior advocate duly assisted by Ms. Anamika Pandey, learned advocate appearing on behalf of the railway authority draws attention of this Court to the order dated 07.06.2026, as passed by the

railway authority pursuant to the order dated 22.05.2026, as passed in this writ petition.

6. It is argued by Mr. Tiwari that on account of passing of the reasoned order by the railway authority, nothing remains to be decided in the instant writ petition.
7. It is further argued by Mr. Tiwari that in the event the writ petitioner, at all feels aggrieved with the reasoned order dated 07.06.2026, he has an appropriate remedy.
8. On careful perusal of the entire materials, as placed before this Court and after hearing the learned advocates for the contending parties, it reveals that pursuant to the order dated 22.05.2026, as passed by a coordinate Bench of this Court, the railway authority, after giving due opportunity of hearing to the writ petitioner, passed a reasoned order dated 07.06.2026 on the representation of the writ petitioner.
9. As rightly argued by Mr. Tiwari that in the event the writ petitioner feels aggrieved with such reasoned order dated 07.06.2026, he has a suitable remedy and such remedy cannot be availed in such writ petition.
10. With the aforementioned observations, W.P.A. 11782 of 2026 is dismissed.

11. Interim order, if there be any, stands hereby vacated.

(PARTHA SARATHI SEN, J.)

12. After passing of the above order, learned advocate for the writ petitioner prays for limited stay of the order, as passed today.
13. Such prayer is considered and refused.
14. Urgent photostat certified copy of this order, if applied for, be furnished to the parties expeditiously upon compliance of all legal formalities.

(PARTHA SARATHI SEN, J.)