



2026:CGHC:11988-DB

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## **HIGH COURT OF CHHATTISGARH AT BILASPUR**

### **WA No. 218 of 2026**

Shamim Hussain S/o Shri Nazim Hussain And Late Smt. Jamila Begum  
Aged About 50 Years Laknavi Mannat Hotel, Budhwari Bazar, Railway  
Station Bilaspur, District Bilaspur, Chhattisgarh

**... Appellant**

**versus**

- 1 - South East Central Railway Through The General Manager, Secr  
Zonal Office, Bilaspur, Chhattisgarh**
- 2 - Estate Officer Additional Divisional Railway Manager- I, Sec Railway,  
Drm Office, Bilaspur, Chhattisgarh**
- 3 - Divisional Railway Manager (Drm) Drm Office, Bilaspur, Chhattisgarh**
- 4 - Senior Divisional Engineer (Settlement) South East Central Railway,  
Bilaspur Division, Bilaspur, Chhattisgarh**
- 5 - Assistant Divisional Engineer (Settlement- li) South East Central  
Railway, Bilaspur Division, Bilaspur, Chhattisgarh**
- 6 - Senior Section Engineer (Works) Market, South East Central  
Railway, Bilaspur, Division, Bilaspur, Chhattisgarh**

**... Respondent(s)**

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For Appellant : Mr.Amrito Das, Advocate

For Respondent(s) : Mr.Ramakant Mishra, Deputy Solicitor  
General

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**Hon'ble Shri Ramesh Sinha, Chief Justice**

**Hon'ble Shri Ravindra Kumar Agrawal, Judge**

**Judgment on Board**

**Per Ramesh Sinha, Chief Justice**

**13.03.2026**

1. Heard Mr.Amrito Das, learned counsel for the appellant as well as Mr.Ramakant Mishra, learned Deputy Solicitor General appearing for the respondents/State.
2. The appellant has filed this writ appeal against the order dated 15.01.2026 passed by the learned Single Judge in Writ Petition (C) No. 6219 of 2024 by which the learned Single Judge has disposed of the writ petition filed by the appellant herein.
3. Learned counsel appearing for the parties submit that the issue involved in this writ appeal has already been considered and decided by this Court vide judgment dated 11.02.2026 in **WA No.131/2026 (Aslam Hussain v. South East Central Railway and others)**, wherein this Court held as under:-

“10 After adverting the entire facts and circumstances of the case as well as the material annexed with the writ petitions and writ appeals, this court is also of the opinion that the order passed by learned Single Judge is in accordance with law as the appellants have no vested right to remain in possession of the subject premises when they had no any existing lease in their favour from the concerned department.

11 In writ appeal no interference is warranted in the order passed by the Single Judge unless palpable infirmities are being shown in the impugned order. From perusal of entire material placed on record, we do not

find any such infirmities or irregularities in the order passed by learned Single Judge which warrants interference of this court.

12 The judgment cited by the counsel for the appellants is of no help to them as the facts and consideration in that case is distinguishable to the facts and consideration of the present case. In that case, the Supreme Court stayed the high court order for the mass eviction of residents who claimed long-term, 50-70 year possession, noting that a "practical solution" and rehabilitation must be considered, although this does not legalize the encroachment itself.

13 Accordingly, both the writ appeals are dismissed."

4. In view of above, the present writ appeal is dismissed in terms of the judgment passed by this Court vide judgment dated 11.02.2026 passed in **WA No.131/2026**. No cost(s).

Sd/-

**(Ravindra Kumar Agrawal)**  
**Judge**

Sd/-

**(Ramesh Sinha)**  
**Chief Justice**