



IN THE HIGH COURT OF ORISSA AT CUTTACK
W.P.(C) No.8241 of 2025

Prakash Kumar Sahoo

.....

Petitioner

*Mr. Raghunath Biswal,
Advocate*

-versus-

Union of India & Ors.

.....

Opposite Parties

Mr. Gopinath Sethi, CGC

CORAM:

THE HON'BLE DR. JUSTICE S. K. PANIGRAHI

Order

ORDER

No.

27.03.2025

01. 1. This matter is taken up through hybrid arrangement.
2. Heard.
3. The Petitioner has filed this Writ Petition challenging the notice dated 23.10.2024 & 09.12.2024 for vacation and demolition of shops/plots in question issued by the Divisional Engineer (East), East Coast Railway, Khurda Road & Sr. Divisional Engineer (Central), East Coast Railway, Khurda Road under Annexures-8 & 9 respectively.
4. Learned counsel for the Petitioner submits that the Petitioner is a shopkeeper having a shop room/plot No. SC/S-4F near Cuttack Railway Station, Cuttack under East



Coast Railway since forty years on the basis of an agreement between the Petitioner and the Opposite Parties. The said agreement was for a period of five years and time to time it has been renewed by the Parties. For the said shop room, the Petitioner is regularly paying the money to the Opposite Parties. The agreement is still in existence, but without affording opportunity of hearing to the Petitioner, the Opposite Parties have issued notices dated 23.10.2024 & 09.12.2024 for eviction and demolition of shop room in question vide Annexures-8 & 9 respectively.

5. Learned counsel for the Opposite Parties/Railways submits that the Railways is in a need of more land for expansion of its Railways project and creation of other Railways amenities as per its new land lease policy.

6. Considering the facts and submissions made, this Court is of the view that the eviction of the Petitioner's shop room is eminent as the Railways shall require more land in future. However, the Opposite Parties/Railways shall try to accommodate the Petitioner, if there is availability of any vacate land in and around the Railway Station, Cuttack. However, the Opposite Parties/Railways is non-committal on the said issue i.e. purely on the basis of availability of vacate land. In such premises, this Court



directs the Opposite Parties/Railways to find out some vacate land, if the Petitioner can be accommodated so that the livelihood of the petitioner shall not be in jeopardy.

7. Accordingly, the Writ Petition is disposed of.

(Dr. S.K. Panigrahi)
Judge

Gitanjali

Signature Not Verified

Digitally Signed
Signed by: GITANJALI NAYAK
Reason: Authentication
Location: OHC
Date: 27-Mar-2025 18:14:27

