

Item-
13.

18-06-2026

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Ct. 19

WPA 13064 of 2026

M/s. Subhas Nagar Super Market Pvt. Ltd.
Versus
The Union of India & Anr.

Mr. Bikash Ranjan Bhattacharjee, Sr. Adv.
Mr. Dipanjan Roy
Mr. Diptomoy Talukder
Mr. Triptomoy Talukder
...for the petitioner
Mr. Dhiraj Kumar Trivedi, Ld. DSGI
Mr. Amarendra Chakraborty
...for the UOI

Affidavit of service filed in Court is taken on record.

The eviction notice dated 9th June, 2026 issued by the Eastern Railway, Sealdah Division is under challenge in this writ petition.

Mr. Bhattacharjee, learned Senior Counsel appearing for the petitioner, draws the attention of the Court to an order dated 06.12.1996 passed by the learned Civil Judge (Junior Division), 1st Court at Sealdah, in Title Suit No. 81 of 1994 in support of his contention that the authorities of Eastern Railway filed a suit for eviction to evict the petitioner company from the property in question which stood dismissed. Mr. Bhattacharjee, in course of his argument, laid special emphasis on the Memo dated 18th May, 1995 issued by the Land Acquisition Officer, North 24 Parganas at Barasat in support of his contention that a substantial amount towards valuation of the railway land involving different squatters colonies have been paid to the Eastern Railway in the month of May 1995. He, thus, submits that the Railway Authorities after having received the said amount cannot evict the petitioner from the property in question.

Mr. Trivedi, learned Deputy Solicitor General of

India, refers to an Advocate's communication dated 4th March, 1994 in support of his contention that the suit filed by the Eastern Railway was not a suit for eviction but for declaration and permanent injunction. He submits that no document has been disclosed by the petitioner to show that the Railway Authorities permitted the petitioner to occupy the railway land or any portion thereof.

Mr. Trivedi seeks an accommodation to take instructions on the documents annexed at page 94 of the writ petition being Memo dated 18th May, 1995 and submits that from the said document it does not appear that the petitioner has acquired any right to occupy any portion of the railway land.

Similar eviction notice(s) have been challenged by several writ petitioners and the hearing in a batch of writ petitions has already commenced.

After hearing the learned Senior Counsel for the respective parties, this Court finds that the point of law involved in this writ petition is more or less identical to the batch of writ petitions challenging the action of the Eastern Railways to evict the occupants in terms of the eviction notice(s).

Let the report be filed by the Divisional Railway Manager, Sealdah Division, Eastern Railway being the 6th respondent.

List the matter for hearing on June 25, 2026.

A copy of such report shall be served upon the learned Advocate for the petitioner at least one day prior to the next date of hearing.

The Railway Authorities are restrained from taking

any coercive steps against the petitioner till the end of the month of June 2026 or until further order whichever is earlier.

(Hiranmay Bhattacharyya, J.)