

30.06.2026
Item No.83,87,88, 134
Ct. No. 19
RP

WPA/12367/2026
BIRJU KUMAR SHARMA AND ORS
VS
UNION OF INDIA AND ORS
With
WPA/12644/2026
SABITA DAS AND ORS
VS
UNION OF INDIA AND ORS.
With
WPA/12649/2026
NIRMAL SIKDER AND ORS
VS
UNION OF INDIA AND ORS
With
WPA 14536 of 2026
AJOY MONDAL
VS.
UNION OF INDIA AND ORS.

Mr. Bikash Ranjan Bhattcharya, Sr. Advocate
Mr. Samim Ahammed
Mr. Arka Maiti
Ms. Saloni Bhattacharya
Ms. Ambia Khatun
Mr. Arka Ranjan Bhattacharya
Mr. Asif Iqbal Baidya
Ms. Reshma Khatoon
Mr. Md. Nasirul Haque
Mr. Enamul Islam
Mr. Purbayan Chakraborty
Mr. S. Mostari
Mr. S. Ghosh
...for the petitioners
Mr. Ajit Mishra
Ms. J. Dhar Chakraborty
...for the State
Mr. Dhiraj Trivedi, Ld. DSGI
Mr. Tapan Bhanja
Ms. Anamika Pandey
Mr. Arijit Majumdar
Ms. Swapna Jha
Ms. Shreyashi Sarkar
...for the Eastern Railways

1. In WPA 12367 of 2026, WPA 12644 of 2026, WPA 12649 of 2026 and WPA

14536 of 2026 identical questions of facts and law are involved, as per request made at the Bar the instant four writ petitions are taken up analogously.

2. As jointly agreed, WPA 12367 of 2026 is treated as a lead case and facts are taken from WPA 12367 of 2026.
3. At the very outset Mr. Bhattacharya, learned senior advocate appearing on behalf of the writ petitioners in all the aforementioned writ petitions submits before this Court that like WPA 12284 of 2026 the writ petitioners before this Court in the instant writ petitions have approached this Court individually as well as representative capacity. It is pertinent to mention herein that this Court by order dated 29.06.2026 as passed in WPA 12284 of 2026 (Suresh Prasad Pal & Ors. vs. Union of India & Ors.) while considering the maintainability of the said writ petition came to a finding that the said writ

petition, being WPA 12284 of 2026, is found to be maintainable wherein the writ petitioners approached this Court in representative capacity.

4. At the time of hearing Mr. Trivedi, learned DSGI appearing on behalf of the Railway Administration filed another instruction dated 24.06.2026 together with another sketch map and the said instruction has been issued by the Senior Divisional Engineer, Eastern Railway, Howrah Division. Mr. Trivedi submits before this Court that due to bonafide mistake a map was filed on 29.06.2026, which is not relevant for the instant lis and, accordingly, he prays for leave to withdraw the map as filed on 29.06.2026.
5. Leave as prayed for is granted. The Assistant Court Officer of this Court is directed to return the map to Mr. Trivedi as filed on 29.06.2026.
6. While recording this order it has been intimated to this Court by Mr. Trivedi

that he has already received the sketch map as filed on 29.06.2026.

7. This Court has heard Mr. Bhattacharya, learned senior advocate appearing on behalf of the writ petitioners in all the four analogous writ petitions extensively in part.
8. Let this matter be listed on 1st July, 2026 under the heading “Specially Fixed Matter” marked 2 P.M.
9. It is made clear that maintainability of the instant four writ petitions are kept open and in the event this Court finds necessity to hear out the writ petitions upon exchange of affidavits, this Court may pass appropriate order for filing affidavit-in-opposition and affidavit-in-reply in future.

(PARTHA SARATHI SEN, J.)