GAHC010269182025

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THE GAUHATI HIGH COURT
(HIGH COURT OF ASSAM, NAGALAND, MIZORAM AND ARUNACHAL PRADESH)

Case No. : PIL/65/2025

ALL INDIA RAILWAY PASSENGERS USER FACILITIES FEDERATION
HAVING ITS REGISTERED OFFICE AT KALAPAHAR COLONY BAZAR, OPP.
CANARA BANK, P.O. BINOVANAGAR, P.S. FATASIL AMBARI, GUWAHATI -
781018, REPRESENTED BY ITS NATIONAL PRESIDENT, DR. PANDIT SANJIB
NARAYAN DASS, SON OF SRI NARENDRA NARAYAN DASS, R/O-
KALAPAHAR COLONY BAZAR, OPP. CANARA BANK, P.O. BINOVANAGAR,
P.S. FATASIL AMBARI, GUWAHATI-781018.

VERSUS

THE UNION OF INDIA AND ANR
REPRESENTED BY THE COMMISSIONER AND SECRETARY, GOVT. OF
INDIA, RAILWAY MINISTRY, 255-A, RAISINA ROAD, RAJPATH AREA,
CENTRAL SECRETARIAT, NEW DELHI- 110001.

2:THE CHAIRMAN

 RAILWAY BOARD 256-A
 RAISINA ROAD
 RAJPATH AREA
 CENTRAL SECRETARIAT
 NEW DELHI- 110001

For the petitioner   :   Mr. M.R. Sodial, Advocate

For the respondents :   Mr. R.K.D. Choudhury, DSGI

– B E F O R E –

HON'BLE THE CHIEF JUSTICE MR. ASHUTOSH KUMAR
HON'BLE MR. JUSTICE ARUN DEV CHOUDHURY

12-12-2025

(Ashutosh Kumar, C.J.)

The present PIL has been filed alleging that the respondents/Railways have failed to maintain punctuality, safety standards, amenities and service quality. It has also been alleged that the advanced "Kavach", an automatic train protection system, has not been fully rolled out and that the Railways are prioritising expansion over maintenance, thereby enhancing the risk of derailment and exposing the vulnerable commuters to accident.

At the outset, we note that the petition is bereft of any concrete material particulars or data. Except for bald statements and general assertions, the writ petition does not refer to any specific incident of derailment/accident, identified safety lapse, particularly in any stretch of track, or any statutory violation which would justify exercise of this Court's extra-ordinary jurisdiction.

Public interest litigation is a serious instrument which cannot be founded on sweeping allegations, perceived administrative emergencies, or general grievances about systemic functioning.

The Courts must guard against vague and omnibus petitions filed without adequate research or factual foundation.

The policy matters relating to Railway safety protocols, technical deployment of "Kavach" system, allocations of resources, prioritisation of expansion versus maintenance and strategic rollout of various safety measures fall squarely within the domain of special/technical Authorities.

The Courts do not substitute their wisdom for that of competent experts, unless there is a demonstrable arbitrariness, illegality, *mala fides* and inaction in the face of specific statutory duty.

In this petition, there is no averment regarding breach of any statutory rule or any material to show that the Railways have ignored the binding directions for improvement of service or to supervise day-to-day administrations. Entertaining such petitions would convert this Court into a kind of super-regulatory authority of technical policy; something which has expressly been cautioned against in many cases of the Supreme Court.

General governance of a department is not to be carried out through judicial orders on vague demands.

On going through this petition, we find that the grievances are more in the nature of general policy suggestion and not of enforceable legal rights.

The Railways being a public sector undertaking are nevertheless expected to continue upgrading safety systems, modernising infrastructure and deploying protection technology as per expert's assessment and budgetary prioritisation. However, such matters cannot

be directed on the basis of an indeterminate/non-evidentiary PIL.

For all these reasons, we dismiss this petition with the liberty to the petitioner to pursue the already filed representation or, if not filed, fresh representations before the competent authority, if so advised, with specific instances, documentary materials and identifiable legal violations.

No order as to costs.

JUDGE   **CHIEF JUSTICE**

Comparing Assistant