

Court No. - 1

Case :- WRIT - C No. - 10372 of 2023

Petitioner :- Maharth Infracon Lko. Thru. Its Proprietor
Amit Kumar Singh

Respondent :- Union Of India Thru. Chief Executive
Officer Railway Board , New Delhi And Others

Counsel for Petitioner :- Mahmood Alam, Mohd.
Shahanshah Newaz Khan

Counsel for Respondent :- A.S.G.I.

Hon'ble Attau Rahman Masoodi, J.

Hon'ble Om Prakash Shukla, J.

1. Heard learned counsel for the petitioner and Sri S.B. Pandey learned Deputy Solicitor General of India assisted by Smt. Akansha Dubey learned counsel for the Union of India.

2. A contract for advertisement was entered into between the petitioner and the respondents-railways under the stipulations as mentioned in the contract valid from 1.11.2022 to 31.10.2025.

3. It is averred in the writ petition that there is a breach of contract by the respondents in identifying the spaces for carrying out the advertising business and thus the petitioner has been subjected to business losses but on the contrary penal charges are sought to be realized from the petitioner.

4. The dispute essentially is in the nature of civil dispute.

5. This Court in exercise of writ jurisdiction would not enter into any such stipulated questions of fact. Thus, the remedy of civil suit is open to the petitioner. The writ petition however would not lie.

6. The writ petition is accordingly dismissed.

Order Date :- 29.11.2023

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