

GAHC010051272017



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

Case No. : WP(C)/7158/2017

JOSEPH SEBASTIAN
S/O LT. E.V. SEBASTIAN, R/O 54 A, WEST MALIGAON, GUWAHATI -11, P.O.
MALIGAON, P.S. JALUKBARI, DIST. KAMRUP METRO, ASSAM

VERSUS

THE UNION OF INDIA and 3 ORS
REP. BY THE GENERAL MANAGER, N.F.RAILWAY, MALIGAON, GUWAHATI
- 11 DIST. KAMRUP METRO, ASSAM

2:THE CHIEF COMMERCIAL MANAGER

N.F. RAILWAY MALIGAON
GUWAHATI -11
DIST. KAMRUP METRO
ASSAM.

3:THE DEPUTY CHIEF COMMERCIAL MANAGER

PM N.F. RAILWAY
MALIGAON
GUWAHATI-11
DIST.KAMRUP METRO
ASSAM

4:THE GENERAL MANAGER

N.F. RAILWAY
MALIGAON
GUWHAATI-11
DIST. KAMRUP METRO
ASSA

Advocate for the Petitioner : MR.M DAS

Advocate for the Respondent : MR.B SHARMA, RLY.ADV.

**BEFORE
HONOURABLE MR. JUSTICE SANJAY KUMAR MEDHI**

ORDER

04.03.2024.

Heard Ms. B Bora, learned counsel for the petitioner, who, however, fairly submits that she and her team are not in touch with the client and therefore, does not have the present instructions. This Court has also been informed that efforts have been made to contact the clients in spite of which, no contact has been able to be made.

On the other hand, Shri B Sarma, learned counsel representing the Railways, however, submits that the subject matter pertains to closure of a Coffee Shop, the tenure of which has already expired in the year 2014. He has also raised objection with regard to the inordinate delay in approaching the Court and existence of an alternative remedy for redressal of any grievance in the form of an arbitration clause.

Be that as it may, this Court is of the opinion that since there is no instructions presently regarding the requirement to press this application and also taking into consideration that the Coffee Shop was closed about a decade back, this Court is of the view that no live cause of action may be persisting.

Accordingly, this writ petition is closed.

However, liberty is granted to the petitioner to approach this Court if any existing cause of action is able to be established.

JUDGE

Comparing Assistant