

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**WPC No.1000 of 2015**

Rakesh Kumar Sharma S/o Shri R.K. Sharma Aged About 42 Years R/o Opp
Gagan Apartments Dipupara, Tarbahar Bilaspur. Dist- Bilaspur (Chhattisgarh)

---- **Petitioner****Versus**

1. Union Of India, Ministry Of Railways, Railbhawan New Delhi
2. The Divisional Railway Manager S.E.C.R. Bilaspur (Chhattisgarh)
3. The Chief Commercial Manager S.E.C.R. Bilaspur (Chhattisgarh)
4. Senior Divisional Commercial Manager S.E.C.R. Bilaspur (Chhattisgarh)
5. Vinay.K. Patel S/o Shri Jagdish Patel Nagar Nigam Colony Maharana Pratap
Chowk Bilaspur

---- **Respondent**

For Petitioner : Shri Praveen Das, Advocate
 For Respondent No.1 to 4: Shri Abhishek Sinha, Advocate
 For Respondent No.5 : Shri Adil Minhaz, Advocate

Order On Board**05/10/2015**

The petitioner has challenged the action of the respondents in appointing more than one Jan Sadharan Ticket Booking Sewak (In short "JTBS") at Maharana Pratap Square at Bilaspur.

2. Learned counsel for the petitioner submits that as per tender notice, if more than one eligible candidates were found for the same location, the contract ought to have been awarded by drawing lot. However, the respondents have not only allowed the petitioner but also the respondent No.5 as Retail Ticket Vendor.

3. Learned counsel for the respondent-Railways submits that there is no express bar envisaged under the advertisement or under the policy to appoint more than one

JTBS in one location.

4. Looking to the large number of persons commuting in the Railways and need to provide better facilities to the residents of city of Bilaspur, so that they may not be required to rush to ticket windows in the Railway Station, it was decided to appoint more than one JTBS in Maharana Pratap Square at Bilaspur.

5. In view of above, in the absence of there being any express bar under the law for appointing more than one retail vendor of Railway tickets on one location, keeping in view that this is the facility for public at large, I am not inclined to interfere with the decision. However, learned counsel for the petitioner submits that he had submitted his tender on the expectation that he alone would be allowed to continue as JTBS on the location. In the changed circumstances, the petitioner has moved an application/representation for change of location, which is pending consideration before the Railway Authorities.

6. Considering the submission made above, all that can be done is to direct the respondent No.4 to consider petitioner's application/representation and take appropriate decision thereon in accordance with law within a period of four weeks from the date of receipt of a copy of this order. Subject to aforesaid limited direction, no other relief can be granted to the petitioner.

7. Accordingly, this petition is finally disposed off.

Sd/-
Manindra Mohan Shrivastava
Judge