

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE K.VINOD CHANDRAN

FRIDAY, THE 7TH DAY OF AUGUST 2015/16TH SRAVANA, 1937

WP(C).No. 23880 of 2015 (H)

PETITIONER(S) :

**BEST TRADING COMPANY,
HAVING ITS ADMINISTRATIVE OFFICE AT XXV/1244/18,
1ST FLOOR, CHETTUPUZHA BUILDING, MARAR ROAD,
THRISSUR-1,
REPRESENTED BY ITS PROPRIETOR P.K.JALEEL.**

**BY ADVS.SRI.K.R.AVINASH (KUNNATH)
SRI.ABDUL RAOOF PALLIPATH**

RESPONDENT(S) :

- 1. THE CHIEF GOODS SUPERVISOR,
SOUTHERN RAILWAY, RAILWAY GOODS SHED, OLLUR
THRISSUR-680 306.**
- 2. THE SENIOR DIVISIONAL COMMERCIAL MANAGER,
SOUTHERN RAILWAY, THIRUVANANTHAPURAM DIVISION- 695 001.**
- 3. THE UNION OF INDIA,
REPRESENTED BY SECRETARY TO GOVERNMENT,
MINISTRY OF RAILWAYS, CENTRAL SECRETARIAT, NEW DELHI-110 001.**

BY ADV. SRI.C.S.DIAS, S.C

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 07-08-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

Msd.

WP(C).No. 23880 of 2015 (H)

APPENDIX

PETITIONER(S)' EXHIBITS :

EXHIBIT P1 : TRUE COPY OF THE RAILWAY RECEIPT DATED 14.07.2014.

EXHIBIT P2 : TRUE COPY OF THE PAYMENT RECEIPT NO.429825.

**EXHIBIT P3 : TRUE COPY OF THE PAYMENT RECEIPT NO.429826
DATED 18.07.2015.**

**EXHIBIT P4 : TRUE COPY OF THE RULES REGARDING THE WAIVER OF
DEMURRAGE AND WHARFAGE ISSUED BY THE INDIAN RAILWAY.**

**EXHIBIT P5 : TRUE COPY OF THE WAIVER APPLICATION DATED 20.07.2015
SUBMITTED BY THE PETITIONER BEFORE THE 2ND RESPONDENT.**

RESPONDENT(S)' EXHIBITS :

NIL

//TRUE COPY//

P.A.TO JUDGE.

Msd.

K. VINOD CHANDRAN, J

W.P(C) No.23880 of 2015

Dated this the 07th day of August, 2015

J U D G M E N T

The petitioner is aggrieved with the non-consideration of Ext.P5 application filed by the petitioner before the 2nd respondent for waiver of the Demurrage and wharfage imposed on the consignment referred in Ext.P1. The application is seen filed on 20.07.2015. In such circumstance the 2nd respondent shall consider Ext.P5 and pass orders thereon, as expeditiously as possible, at any rate, within a period of one month from the date of receipt of a certified copy of this judgment.

Sd/-

(K. VINOD CHANDRAN, JUDGE)

jma

//true copy//

P.A to Judge