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IN THE HIGH COURT OF DELHI AT NEW DELHI

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W.P.(C) 12116/2015 & CM APPLs. 32201/2015 AND 5887/2016

SUPER FAST PARCEL SERVICE PVT. LTD. Petitioner
Through: None.

versus

UNION OF INDIA & ORS

..... Respondents

Through: Mr. Jagjit Singh, Advocate with
Ms. Shipra Shukla and Mr. Preet Singh,
Advocate for UOI.

Mr. Abhinav Singh, Advocate with
Mr. Divya Jyoti Singh, Mr. Vinod Kr.
Goel and Mr. Sourabh Sharma,
Advocates for respondent No.10.

CORAM:

HON'BLE MR. JUSTICE MANMOHAN

ORDER

11.07.2016

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In view of Notification No.1078/G-4/Gen./DHC dated 06th July, 2016, the cases fixed for 08th July, 2016 have been taken today.

Present writ petition has been filed challenging the letters dated 15th September, 2015 and 23rd September, 2015 passed by Eastern and Northern Railways respectively, whereby the petitioner's proposal for loading and unloading of Parcel Cargo Train (PCET) was rejected.

Today, Mr. Jagjit Singh, learned counsel for respondent-Railways has produced the file of the Railways wherein the Eastern Railways vide letter dated 10th March, 2016 has intimated to the Chief Passenger Transit

Manager, Northern Railways as under:-

“Reference above, it is stated that COIS Mail message No.46-T/20/VP RAKE dated 4.9.2015 from GM(O)/NR was received wherein operational feasibility was asked to run 20 rakes of 20 VPH + 1 SLR in a month from Tuglakbad to Chitpur as per proposal received from M/s. Superfast Parcel Service Pvt. Ltd. by Sr. DOM(Chg.)/DLI. After due examination of the proposal, it was intimated, vide this office message No.TC/672/17/A/ Xvi/Policy dated 15.9.2015, that further loading/unloading of PCET rake Ex Tuglakbad to Chitpur was not feasible due to capacity constraint since Chitpur was handling both goods and Parcel Cargo Exp. trains and volume of traffic was not conducive for handling of new PCET from new destination.

Later on, further appeal from different applicant viz. M/s. Xpress Rail Logistics, was received for unloading of parcel rake at Chitpur on 30.10.2015. Issue was again re-examined. It was found that with dwindling inward goods traffic like sugar from Chitpur spare capacity had become available to handle additional Parcel train.

Accordingly, Northern Railway was permitted to send inward Parcel rake as per appeal of the applicant vide this office message No.TC/672/17/Cargo Express/A dated 9.12.2015. It is informed that the mention of the name of the applicant was for reference only.

If traffic offer by M/s. Superfast Parcel Service Pvt. Ltd. for Chitpur is still valid the same may be permitted as capacity is presently available there. However, such traffic is being dealt at direct delivery line used for inward bagged cargo, instead of the parcel siding where capacity is limited. This office may be accordingly advised after intimation to the applicant concerned.”

Mr. Jagjit Singh also states that the same has been intimated to the petitioner vide letter dated 27th June, 2016. Consequently, he states that the prayer in the present writ petition stands satisfied.

In view of the aforesaid, present writ petition and applications are disposed of as satisfied.

MANMOHAN, J

JULY 11, 2016

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