

THE HON'BLE SRI JUSTICE CHALLA KODANDA RAM

WRIT PETITION No. 27355 OF 2017

ORDER:

This Writ Petition is filed challenging the order dated 08.08.2017 of the 3rd respondent Senior Divisional Commercial Manager, Vijayawada Division, South Central Railway, whereby and whereunder the catering stall of the petitioner in plat form Nos.8 and 9 of Vijayawada Railway Station was directed to be closed.

It is not in dispute that the petitioner, which was granted licence to carry on catering stall for five years initially, came to an end on 08.08.2017 itself.

Heard learned counsel for the petitioner.

Learned Standing Counsel for the respondent Railways Sri Y. Bhaskar submits that three-year renewal period was also granted to the petitioner and now the tenders have been called for seeking to appoint a new caterer, wherein the petitioner also participated subject to its eligibility. The learned Standing Counsel, however, fairly submits that there would be no objection for the respondents if this Court passes an order in this Writ Petition also in terms of the order dated 10.04.2017 in Writ Petition No. 11966 of 2017, wherein the existing contractor was allowed to continue till a new incumbent is put in place.

In those circumstances, the Writ Petition is disposed of with a direction to the respondents to permit the petitioner to continue to operate the catering stall in platform Nos. 8 and 9 of Vijayawada Railway Station until a new incumbent is appointed, subject to its

filing an unconditional undertaking before the 2nd respondent Divisional Railway Manager, Vijayawada Division, South Central Railway that as soon as it receives an intimation that a new incumbent has been put in place, the subject premises will be vacated without any demur. It is made clear that violation of the above-said direction, in any respect, will be treated as committing contempt of court. No costs.

Consequently, the miscellaneous Applications, if any shall stand closed.

17th August 2017

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CHALLA KODANDA RAM, J

