

HON'BLE SRI JUSTICE A.RAJASHEKER REDDY

WP No.33129 of 2018

ORDER:

The petitioner is a licensee and running a catering stall on platform no.4/5 at Vishakapatnam Railway station, the lease being for a period of five years commencing from 12-12-2013 to 11-12-2018.

The grievance of the petitioner is that petitioner he has made an application on 12-06-2018 to the 3rd respondent seeking for renewal of license for a further period of three weeks, which according to the petitioner is permissible under Clause 3.1 & 3.2 of the guidelines for allotment of stalls, but the same has not been disposed of till date. Hence, this writ petition.

Heard the learned counsel for the petitioner. Learned standing counsel for respondent-Railways submits that the respondent-Railways has devised a new policy in the year 2017 and under the new policy, a decision is taken not to renew the license, whose license is for a period of five years and such of those licensees on expiry of their lease period have to participate in the open tender auction, if they intend to take the stalls on lease for further period. It is also stated that the

petitioner has lease period upto 11-12-2018 and till then he will not be disturbed from his stall.

It is to be seen that the petitioner is an existing license and his lease period is upto 11-12-2018 and he has made an application to renew the same. The respondent-authorities cannot sit over the application of the petitioner without passing orders thereon. In the circumstances, without going into the merits of the matter, the writ petition is disposed of directing the competent authority to consider the application of the petitioner dated 12-06-2018 and pass appropriate orders thereon, in accordance with law by taking into account the applicable policy with regard to extension of license period in any case before petitioner's license period expires and intimate the decision taken to the petitioner. Miscellaneous petitions if any pending shall stand disposed of. There shall be no order as to costs.

A.RAJASHEKER REDDY, J

Dated: 19-09-2018
NRG

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