

**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

LPA No. 69 of 2018 (O&M)
In CWP No. 8214 of 2017

Date of decision: 22.2.2018

M/s K. K. Kapoor, Railway Caterer

.. Appellant

VS

Union of India and others

.. Respondents

**Coram: Hon'ble Mr. Justice Rajesh Bindal
Hon'ble Mr. Justice B. S. Walia**

Present Mr. S. L. Chander Shekhar, Advocate, for the appellant.

Mr. G. S. Bal, Senior Advocate with
Mr. ADS Bal and Mr. Amit Kumar, Advocates,
for the respondents.

Rajesh Bindal, J.

Order passed by the learned Single Judge dated 14.9.2017 dismissing the writ petition and order dated 5.12.2017 dismissing the Review Application have been impugned in the present intra-court appeal.

The appellant was awarded a contract for Stall No. 7, at Platform No. 2/3, Railway Station, Chandigarh. His period of license expired on 21.7.2017. He filed writ petition in which interim stay was granted, however, finally the writ petition was dismissed on 14.9.2017. The prayer made in the present appeal is that the appellant be allowed to continue till such time the fresh allotments are made as per the policy of the Indian Railway Catering and Tourism Corporation (for short, 'IRCTC').

The stand taken by learned counsel for the respondents is that in terms of policy framed by the IRCTC for allotment of stalls, the

allotments shall be made for fresh stalls and the process shall be completed by 30.4.2018. As period of license of the appellant has already expired, hence, he cannot be given any extension. One of the grounds for cancellation of the stall of the appellant was that he had defaulted in payment of license fee. Even now notice has been given to him for payment of ₹ 2,00,909/- on account of pending license fee and interest, etc.

After hearing learned counsel for the parties and considering the fact that period of license of the appellant had already expired and the IRCTC is in the process to allot stalls afresh and the process is likely to be completed by 30.4.2018, we do not find any ground to interfere in the present appeal. The same is accordingly dismissed. Consequently, the application for condonation of delay in filing the appeal is also dismissed.

(Rajesh Bindal)
Judge

22.2.2018
vs

(B. S. Walia)
Judge

Whether speaking/ reasoned

Yes/No

Whether Reportable

Yes/No