

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.6885 of 2017

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M/s. Jeet Traders Railway Scrap Purchaser and Order Supplier S/o late
Ramswarath Sah, resident of Hospital Road Arrah, Distt- Bhojpur, Arrah.

... .. Petitioner/s

Versus

1. The East Central Railways through Its General Manager and Ors
2. The Controller of Stores, East Central Railway, Samastipur.
3. The Chief Material Manager, East Central Railways Hajipur at Vaishali.
4. The Senior Divisional Engineer(3), E.C. Railway, Danapur.
5. The Dy. Chief Material Manager (Depot), Samastipur.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Ms. Mira Kumari, Advocate

For the Respondent/s : Mr. Anshuman Singh, Advocate

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR

ORAL ORDER

4 19-02-2020 The sale letter in favour of the petitioner has

been cancelled by order dated 11.01.2017 under the

signature of Deputy Chief Material Manager, Depot, East

Central Railways, Samastipur.

The sale letter had been issued on 20.04.2007.

For ten years after the issuance of sale letter,

the scrap for which money was deposited by the

petitioner, was not delivered.

The stand of the parties is at complete variance

with each other.



The petitioner claims that the railway administration was ready to deliver only part of the scrap in one go. This was not acceptable to the petitioner and therefore several correspondences were made. All this took time and ten years have passed by. Three more years have passed since the order of cancellation of sale has been passed.

Mr. Anshuman Singh, learned advocate for the respondent/railways today has come with the instructions that the scrap is available in the store for the petitioner to lift the same, should the petitioner still be interested.

The petitioner is ready to give effect to the sale letter dated 20.04.2007.

Should the petitioner approach the Deputy Chief Material Manager, (Depot) Samastipur (respondent No. 5) with a written indication that the petitioner is ready to lift the scrap, the concerned respondent shall allow the lifting of such scrap within a period of thirty



days from the date of production of a copy of this order
along with a written indication that the scrap is intended
to be lifted.

The writ petition stands disposed off with the
aforesaid observation.

(Ashutosh Kumar, J)

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